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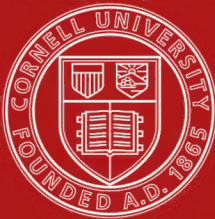
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SIR WALTER RALEGH.

# VIRGINIA

1492—1892

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*A Brief Review of the Discovery of the Continent of  
North America,  
with*

## A HISTORY OF THE EXECUTIVES

*of the Colony and of the Commonwealth of  
Virginia.*

IN TWO PARTS

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BY

MARGARET VOWELL SMITH

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WASHINGTON:  
W. H. LOWDERMILK & CO.  
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TO  
THE SACRED MEMORY  
OF  
MY FATHER,

**Francis Lee Smith,**

WHOSE LOVE FOR HIS NATIVE STATE,  
THROUGH EARLY SEED-SOWING IN THE MIND OF  
THIS HIS CHILD, NOW  
FINDS IMPERFECT EXPRESSION  
HERE;

AND TO  
THE BELOVED MEMORY  
OF

MY BROTHER,

**Courtland Hawkins Smith,**

THE TYPE OF VIRGINIA CHIVALRY,  
THE EMBODIMENT OF A NOBLE, GIFTED, VIGOROUS  
MANHOOD, WHO, ORIGINATING THE  
IDEA OF THIS HISTORY, BEGAN ITS PREPARATION,  
WHEN AN UNTIMELY DEATH PREVENTED  
ITS COMPLETION,

**This Work**  
**IS**  
**DEDICATED.**

*Alexandria, Virginia.*  
1892.

*M. V. S.*

AMONG the chief books of reference used in the arrangement of the following historical sketches, may be cited :

HOLMS'S *Annals of America*.

SMITH'S *History of Virginia*.

HENING'S *Statutes at Large*.

BANCROFT'S *History of the United States*.

BROCK'S *Virginia and Virginians*.

JEFFERSON'S *Notes on Virginia*.

MEADE'S *Old Churches and Families of Virginia*.

RIPLEY & DANA'S *American Cyclopædia*.

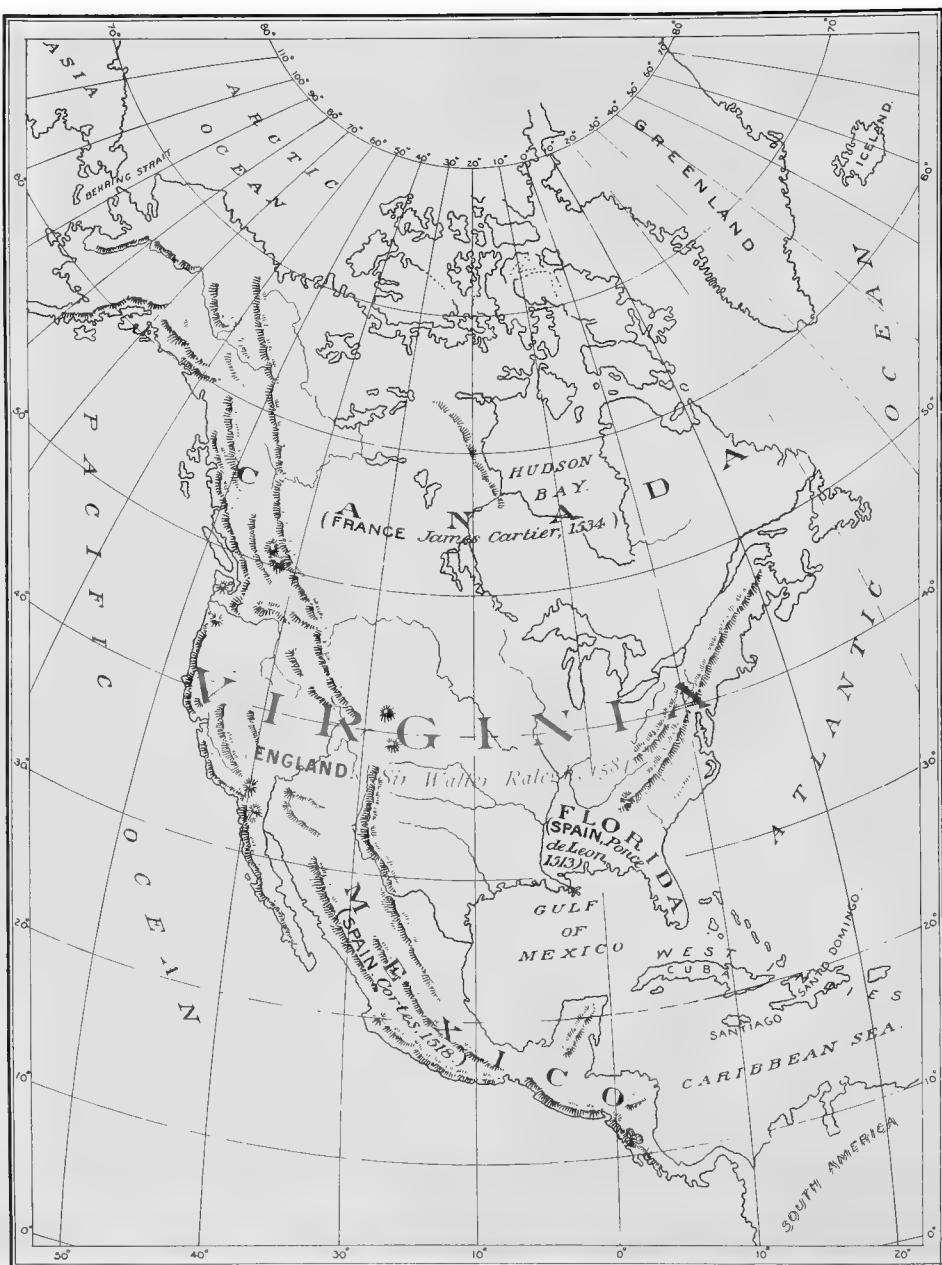
LORD'S *Lempriere's Universal Biography*. ,

WIRT'S *Life of Patrick Henry*.

Other histories and biographies have also contributed to the information incorporated in this work.







## PREFACE.

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TO THOSE who would inquire wherefore VIRGINIA is called "The Mother of States," we would hold up to view the geographical outline upon the opposite page; and to those who seek to learn why she is known as "The Mother of Statesmen," we would point to that "shining host" whose names adorn this volume; yet, who, *not hers alone*, have blended their deeds inseparably with the triumphs and progress of this Great Republic.

Love of country has been the animating cause of the making of this book, and the author indulges the hope that such an effort to present the lives of the Virginia Governors in a compact form, may lead to other compilations, so that each State and Territory of an unbroken Union may lay its written tribute into the treasury of our garnered history.





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## PART I.

*History of the Executives of Virginia from the Patent granted  
by Queen Elizabeth to Sir Walter Raleigh, 1584, to  
the close of the Revolutionary War, 1781.*



# INTRODUCTION.

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THAT the great Western Continent of our earth bears witness to a venerable past, is a world-accepted fact, and that its gradual advance in culture has been in obedience to a fixed law of humanity, is also a matter beyond dispute. A different distribution of land and water on the globe is a possible factor in the problem of the early spread of the human race, but as yet science has not been able to solve this question, and with all the lights of modern civilization, no sifting of the mutilated records of the past has brought the long-sought knowledge. No firm foundation has been found on which to fix the first link in a chain of reasoning; no corner stone on which to build a theory of the primeval dawn. In the language of a distinguished scientist,

“Multitudes of races and nations have arisen upon the American Continent and have disappeared, leaving no trace but ruins, mounds, a few wrought stones or fragments of pottery. History can only preserve facts founded on written records, or bona fide traditions, and it is from these formulations that it builds up chronology and traces the pedigree of nations. Here all these fail. Those whom we are disposed to call aborigines are perhaps but the conquerors of other races that preceded them; conquerors and conquered are forgotten in a common oblivion and the names of both have passed from the memory of man.”

It is generally agreed that Asia was the cradle of the human race, and that by successive migrations during an incalculable period man spread to the uttermost parts of the globe. The stories of Memphis, Thebes, Babylon, Assyria, Lydia, Media, and Persia, open our minds to the progress of mankind in early days, and from the history of Egypt alone we can form some idea of that ancient world which in process of

time was to people the whole earth. In recent wonderful discoveries at Tel El-Amarna, in Upper Egypt, of epistolary correspondence between Egyptian kings of the 18th dynasty (or 15th century B. C.) and potentates of Western Asia, we are confronted with the surprising truth that this was a period of great literary activity, and that there was a "world of letters" before the Hebrew conquest of Palestine, is now a widely spread opinion. Dwelling upon the constantly unfolding revelations of the hoary past, we may well conceive how advanced were the nations of the ancient world, and how populous must have been the continent which drove its surplus human hordes upon the far shores of America. That these waves of living men, belonging to the outer edges of Asiatic nomadic barbarism, came to North America by Behring Strait, and spread along the line of the 30th parallel, south, to South America, is a plausible hypothesis, but of their growth afterwards nothing definite can be known. It is only supposed that they passed through the necessary processes of evolution until, after centuries of waiting, they reached a higher and higher plane of culture, gradually crystalizing their ideas in so permanent a form that pre-historic remains are scattered broadcast over the three Americas. To the North, these vestiges of life exist from the Rocky Mountains on the West to the Alleghanies on the East; from the Great Lakes on the North to the Gulf of Mexico on the South; and the monuments of Mexico, Peru, and Central America proclaim a yet more advanced degree of culture. These last "must have required skilled labor, a numerous population, and an established priesthood, such as could have developed only during the lapse of centuries."

But not the works of man alone tell of the teeming life which in the remote past covered this continent with sentient beings. Traces of myriads of human skeletons speak their own story of a brief sojourn upon earth, but leave no certain clue to solve the mystery of their being. Which way they came, which way they went, what form they wore, is lost forever to the grasp of human lore. Yet in the great brotherhood of humanity, it touches a chord of sympathy to know

that these early peoples had their homes among the mountains and valleys which we call our own; that they basked in the same sun and slept beneath the same stars we love to gaze on, and that they buried their bones in the same Mother Earth that will receive our ashes! Further than this we cannot go; Night wrapt their cradle round with darkness, and having run their course they fell into eternal silence.

Thus, no effort of archæologist or biologist has ever traced a history of these forgotten races, and hidden in the shell-heap, the mound, and the pueblo, or buried beneath the monuments of Mexico and the farther South, lie peoples that have perished from the annals of the world, leaving in the great march of life only a nameless grave to mark their by-gone and mysterious existence.

This shadowy outline of what may scarce be called a history, is that which can be told of the earliest state of America; but the time was drawing near for a long-delayed and higher life to which the Creator of the universe had destined it.

For several centuries before the Christian era, philosophers had taught that the earth was round, and that the water which bounded Europe on the West washed also the shores of Asia on the East. This opinion gained ground as the years rolled on, and it was said of him who was ordained to be the great, successful Navigator, that he "comforted himself with this hope, that the land had a beginning where the sea had an ending." To find a shorter route to India and to win a portion of the trade as yet carried on by caravans with the farther East, had long been the dream of the Portuguese, the Spanish, and the English. But to students and wise men the great field of discovery offered a nobler aim—the certain knowledge of the formation of the globe and the consequent advancement of mankind.

And so it came to pass in the 15th century, that Christopher Columbus, the geographer and philosopher, the hardy mariner and dauntless apostle of an untried creed, tempted the "Sea of Darkness" and sailed toward the horizon's rim. By faith and patience he fulfilled the prophecy of ages.

When he had traversed a waste of waters and robbed Old Ocean of his hidden treasure, in the transport of his joy he knelt and kissed the ground; at this, a reflex of "The Sleeping Beauty" of romance, the land awoke, and

"In that new world which is the old,"

rose to renewed vitality.

Although it is asserted that the Western Continent had been seen as early as the 10th century by roving Norsemen, still its real discovery was made by\* Christopher Columbus in 1492. Imperishable be his name! Like that unchanging star which led him on his stormy way, the splendor of his triumph will know no going down. In undiminished brightness will it shine as ages pass away.

In his career on earth Columbus had been called to taste the bitter and the sweet, had known the rapture of success and the sharp sting of base ingratitude, and, saddest to tell, had died in want and woe. But Time has garnered up his glory. No other navigator can claim to have discovered "The New World"; it was he alone who opened the gates of the morning and flooded the trackless deep with everlasting light.

When Columbus had rent the veil which hid this great reserve of Nature, he beheld upon its shores a savage race, a race perhaps washed on the American Continent by a later wave of migration, from that great nursery of the world, old Asia. Columbus called these people "Indians," believing that the islands he had struck were but the outer fringes of the India which he sought. Though this illusion has been long dispelled, the names he gave remain. "Indians" and "West Indies" abide as way-marks in the progress of mankind.

And now, no sooner had the existence of a trans-Atlantic continent become assured, than Western Europe rose to seize the prize. Spain, having sent Columbus on his courageous voyage, prepared to take advantage of his finding, and soon acquired much territory in the South. France spread her canvas too for conquest, and planted her banner in the

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\*Note A, Appendix.



frozen North. But between these two dominions lay a vast and unclaimed territory. Thither sent England her daring Cabot and his sons, who landed on the New World, planted the royal standard upon her virgin coasts, and laid an empire at Britannia's feet—an empire stretching from the ice-clad regions of the snow-king to the beauty, and fragrance, and opulence of the land of the sun; whose Western and whose Eastern coast lines are washed each by a majestic ocean, and whose hidden and incalculable wealth made it at once the El Dorado of hope and of fruition.

The patent conferred on John Cabot by Henry VII. is the "most ancient American state paper of England." The style of the commission is:

"Johanni Cabotto, Civi Venetiarum, ac Ludovico, Sebastiano, et Sancto, Filiis dicti Johannis, etc." It is dated March 5th, in the eleventh year of the reign of Henry VII.

Although John Cabot came from Venice, the place of his birth is unknown, and on his second voyage to America all trace of him is lost. But his name will adorn the annals of England so long as the Dominion of Canada exists, and the grand Banks of Newfoundland pour their pounds and shillings into British coffers. These banks are one of the treasures of the ocean, and the most valuable fishing grounds in the world.

It was in this wise that John Cabot took possession of the country. He came in his first voyage upon the Western Continent, June 24, 1497, about latitude fifty-six degrees, among the dismal cliffs of Labrador. He ran along the coast for many leagues, and finally decided to land at a point which he called *Prima Vista*. This is generally acceded to be the island of Newfoundland. Here he erected a large cross with the flag of England on it; and from affection for the \*Republic of Venice he added also the banner of St. Mark.

But seventy-nine years were suffered to pass away before England, from causes adverse to the extension of industry, trade, and navigation, again turned to her possessions in the

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\*Note B, Appendix.

New World. In 1576, Elizabeth, Queen of England, sent out Martin Frobisher for the discovery of a northwest passage; failing in his effort, he returned to England, from whence he was sent again in 1577 to explore further the coast of Labrador and Greenland. Finding his search an unavailing task, he sailed for home, and in 1578 returned to America with the design of forming a settlement in the northernmost part of the continent. In this plan he was also thwarted, and the supposed gold, which had been found in such abundance in glittering stones and sand, proved as delusive as the hope of establishing a home in that inhospitable land. Still Elizabeth, dazzled by dreams of finding the precious ore in the ice-clad regions of the North and a mine of wealth in the fisheries of Newfoundland, readily granted a patent to Sir Humphrey Gilbert, one of her adventurous subjects, authorizing him to discover and take possession of all remote and barbarous lands, unoccupied by any Christian prince or people. She vested in him, his heirs and assigns forever, the full right of property in the soil of those countries of which he should take possession, to hold of the crown of England by homage, on payment of the fifth part of the gold or silver ore found there; conferred complete jurisdiction within the said lands and seas adjoining them; declared that all who should settle there should enjoy all the privileges of free citizens and natives of England, any law, custom, or usage to the contrary notwithstanding, and prohibited all persons from attempting to settle within 200 leagues of any place which Sir Humphrey Gilbert or his associates should have occupied during the space of six years.

Gilbert soon after prepared to put to sea with a considerable fleet; but dissensions arose and he was deserted by some of his associates. He set sail, however, yet losing one of his ships in a storm he returned to England, and the effort proved abortive. On this adventure he was accompanied by his half-brother, Sir Walter Raleigh. In 1583 Gilbert equipped a new squadron and embarked under happier auspices. He sailed for Newfoundland June 11, and in August, entering St. John's harbor, he summoned the Spaniards and

Portuguese to witness the ceremonies by which he was to take possession of the country for his sovereign. When assembled, his commission was read and interpreted to the foreigners. A turf and twig were then delivered to him, and proclamation was immediately made that by virtue of his commission from the Queen, he took possession of the harbor of St. John and 200 leagues every way around it, for the crown of England. Not far from this place a pillar was erected, upon which were "infix'd the armes of England." This formal possession, in consequence of the voyage of the Cabots, is considered by the English as the foundation of the right and title of the crown of England to the territory of Newfoundland and to the fishery upon its banks.

But Gilbert was not destined to enjoy the reward of his enterprise and courage. On his return voyage the little *Squirrel* which he commanded—a bark of ten tons only—foundered at midnight in a fierce gale at sea, and ship nor crew were ever seen again. *The Hind* one of the fleet, reached home in safety, and her captain, Edward Haies, detailed the sad disaster.

But Sir Walter Raleigh, undaunted by the tragic fate of Gilbert, resolved to make the desperate venture once again. Observing that the Spaniards had not yet occupied a vast extent of territory north of the Gulf of Mexico, he hoped by planting a colony there to thwart the Spanish and the French from gaining entire possession of the continent. Ever since the arrival in England, in 1565, of the Huguenots who had escaped massacre in Florida by the Spaniards, the knowledge of the increasing power of Rome in America had been growing. This may have been one reason which lured the Protestant Elizabeth to seek a permanent settlement there; but it is certain that the reputed mines of gold in the new country had much to do with energizing the project. So Sir Walter Raleigh, young, accomplished, and in favor with the Queen, had little difficulty in obtaining her consent to fit out another expedition. She gave to Raleigh a patent with prerogatives and jurisdictions as ample as had been granted to his brother, Sir Humphrey Gilbert.

The following is an exact copy of this interesting paper :

*THE LETTERS PATENTS, granted by the Queenes Maiestie to M. Walter Raleigh now Knight, for the discovering and planting of new lands and Countries, to continue the space of 6 yeeres and no more.*

Elizabeth, by the grace of God of England, France, and Ireland, Queene, defender of the faith, &c. To all people to whom these presents shal come, greeting. Know ye that of our special grace, certaine science, & meere motion, we have giuen and graunted, and by these presents for vs, our heires and successors doe giue and graunt to our trusty and well-beloued seruant, Walter Raleigh, Esquire, and to his heires and assignes for euer, free liberty & licence from time to time, and at all times for euer hereafter, to discouer, search, finde out, and view such remote, heathen, and barbarous lands, countreys, and territories, not actually possessed of any Christian prince, nor inhabited by Christian people, as to him, his heires and assignes, and to euery or any of them shall seeme good, and the same to haue, holde, occupy & enioy to him, his heires and assignes for euer, with all prerogatives, commodities, iurisdiction, royalties, priuiledges, franchises and preeminences, thereto or thereabouts both by sea and land, whatsoever we by our letters patents may grant, and as we or any of our noble progenitors haue heretofore granted to any person or persons, bodies politique or corporate; and the saide Walter Raleigh, his heires and assignes, and all such as from time to time, by licence of vs, our heires and successors, shal goe or trauaile thither to inhabite or remaine, there to build and fortifie, at the discretion of the said Walter Raleigh, his heires & assignes, the statutes or act of Parliament made against fugitiues, or against such as shall depart, remaine, or continue out of our Realm of England without licence, or any other statute, act, law, or any ordinance whatsoever to the contrary in any wise notwithstanding.

And we do likewise by these presents, of our especial grace, meere motion, and certain knowledge, for vs, our heires and successors, giue and graunt full authoritie, libertie, and power to the said Walter Raleigh, his heires and assignes, and euery of them, that he and they, and euery or any of them, shall and may at all and euery time and times hereafter, haue, take, and leade in the sayde voyage, and trauaile thitherward, or to inhabite there with him or them, and euery or any of them, such, and so many of our subiects as shall willingly accompany him or them, and euery or any of them; and to whom also we doe by these presents, giue full libertie and authoritie in that behalfe, and also to haue, take, and employ, and vse sufficient shipping and furniture for the transportations, and Navigations in that behalfe, so that none of the same persons or any of them be such as hereafter shall be restrained by vs, our heires or successors.

And further that the said Walter Raleigh, his heires and assignes, and

every of them, shall haue, holde, occupie and enioy to him, his heires and assignes, and euery of them for euer, all the soyle of all such landes, territories, and Countreis, so to be discovered and possessed as aforesayd, and of all such Cities, Castles, Townes, Villages and places in the same, with the right, royalties, franchises, and iurisdictions, as well marine as other within the sayd landes, or Countreis, or the seas thereunto adjoining, to be had, or vsed, with full power to dispose thereof, and of euery part in fee simple or otherwise, according to the order of the lawes of England, as neere as the same conueniently may be, at his, and their wil and pleasure, to any persons then being, or that shall remaine within the allegiance of vs, our heires and successors; reseruing always to vs, our heires and successors, for all seruices, dueties, and demaunds, the fift part of all the oare of golde and silver, that from time to time, and at all times after such discoverie, subduing and possessing, shall be there gotten and obtained: All which lands, Countreis, and territories shall for euer be holden of the said Walter Raleigh, his heires and assignes, of vs, our heires and successors, by homage, and by the sayd payment of the said fift part, reserved onely for all seruices.

And moreover, we do by these presents, for vs, our heirs and successors, giue and grant licence to the said Walter Raleigh, his heires, and assignes, and euery of them, that he, and they, and euery or any of them, shall and may from time to time, and at all times for euer hereafter, for his and their defence, encounter and expulse, repell and resist as well by sea as by lande, and by all other wayes whatsoever, all and euery such person and persons whatsoever, as without the especial liking and licence of the sayd Walter Raleigh, and of his heirs and assignes, shall attempt to inhabite within the sayde Countreys, or any of them, or within the space of two hundreth leagues neere to the place or places within such Countreys as aforesayde (if they shall not bee before planted or inhabited within the limits as aforesayd with the subiects of any Christian Prince being in amitie with vs) where the said Walter Raleigh, his heirs, or assignes, or any of them, or his, or their, or any of their associats or company, shall within sixe yeeres (next ensuing) make their dwellings or abidings, or that shall enterprise or attempt at any time hereafter vnlawfully to annoy, eyther by Sea or Lande the sayde Walter Raleigh, his heires or assignes, or any of them, or his, or their, or any of his or their companies, giuing and graunting by these presents further power and authoritie to the sayd Walter Raleigh, his heirs and assignes, and euery of them from time to time, and at all times for euer hereafter, to take and surprise by all manner of meanes whatsoever, all and euery those person or persons, with their Shippes, Veasels, and other goods and furniture, which without the licence of the sayde Walter Raleigh, or his heires, or assignes, as aforesayd, shalbe found trafiquing into any Harbour, or Harbours, Creeke, or Creekes, within the limits aforesayd (the subiects of our Realms and Dominions, and all other persons in amitie with us, trading

to the Newfound lands for fishing as heretofore they have commonly vsed, or being driuen by force of a tempest, or shipwracke onely excepted); and those persons, and euery of them, with their shippes, vessels, goods, and furniture, to deteine and possesse as of good and lawfull prize, according to the discretion of him the sayd Walter Raleigh, his heirs, and assigns, and euery, or any of them. And for vniting in more perfect league and amitie, of such Countreyes, landes, and territories so to be possessed and inhabited as aforesaid with our Realmes of England and Ireland, and the better encouragement of men to these enterprises: we doe by these presents, graunt and declare that all such Countreies, so hereafter to be possessed and inhabited as is aforesaid, from thencefoorth shall be of the allegiance of vs, our heires and successours. And we doe graunt to the sayd Walter Raleigh, his heires, and assigns, and to all, and euery of them, and to all, and euery other person or persons, being of our allegiance, whose names shall be noted or entred in some of our Courts of recorde within our Realme of England, that with the assent of the sayd Walter Raleigh, his heires or assigns, shall in his iourneis for discouerie, or in the iourneis for conquest hereafter trauaile to such lands, countreies and territories, as aforesayd, and to their, and to euery of their heires, that they, and euery or any of them, being cyther borne within our sayde Realmes of England or Irelande, or in any other place within our allegiance, and which hereafter shall be inhabiting within any of the Lands, Countreyes, and Territories, with such licence (as aforesayd), shall and may haue all the priuiledges of free Denizens, and persons natieue of England, and within our allegiance in such like ample maner and forme, as if they were borne and personally resident within our said Realm of England, any law, custome, or vsage to the contrary notwithstanding.

And forasmuch as vpon the finding out, discouering, or inhabiting of such remote lands, countries, and territories as aforesaid, it shalbe necessary for the safety of all men, that shall aduenture themselves in those iourneyes or voyages, to determine to liue together in Christian peace, and ciuill quietnesse eche with other, whereby euery one may with more pleasure and profit enioy that whereunto they shall attaine with great paine and perill, wee for vs, our heires and successors, are likewise pleased and contented, and by these presents doe giue & grant to the said Walter Raleigh, his heires and assigns for ever, that he and they, and euery or any of them, shall and may from time to time for ever hereafter, within the said mentioned remote lands and countries, in the way by the seas thither, and from thence, haue full and meere power and authoritie to correct, punish, pardon, govern, and rule by their and euery or any of their good discretions and policies, as well in causes capitall, or criminall, as ciuill, both marine and other, all such our subiects, as shal from time to time aduenture themselves in the said iourneis or voyages, or that shall at any time hereafter inhabite any such lands, countreies, or territories as aforesaid, or that shall abide within 200 leagues of any of the sayde place

or places, where the sayde Walter Raleigh, his heires or assignes, or any or them, or any of his or their associats or companies, shall inhabite within 6 yeeres next ensuing the date hereof, according to such statutes, lawes and ordinances as shall be by him the sayd Walter Raleigh, his heires and assignes, and euery or any of them deuised, or established, for the better gouernment of the said people as aforesaid. So alwayes as the said statutes, lawes, and ordinances may bee, as nere as conueniently may be, agreeable to the forme of the lawes, statutes, gouernment, or policie of England, and also so as they be not against the true Christian faith, nowe professed in the Church of England, nor in any wise to withdrawe any of the subiects or people of those lands or places from the allegiance of vs, our heires and successours, as their immediate Soueraigne vnder God.

And further, we do by these presents for vs, our heires and successours, giue and grant full power and authoritie to our trustie and welbeloued Counsaillour Sir William Cecill knight, Lorde Burghley, as high Treasurer of England and to the Lorde Treasurer of England for vs, our heires and successors for the time being, and to the priuie Counsaile of vs, our heires and successors, or any foure or more of them for the time being, that he, they, or any four or more of them, shall and may from time to time, and at all times hereafter, vnder his or their handes or Seales by vertue of these presents, authorise and licence the sayd Walter Raleigh, his heires and assignes and euery or any of them by him, & by themselves, or by their, or any of their sufficient Attorneis, Deputies, Officers, Ministers, Factors, and seruants, to imbarke & transport out of our Realme of England and Ireland, and the Dominions thereof, all or any of his or their goods, and all or any the goods of his and their associats and companies, and euery or any of them, with such other necessities and commodities of any our Realmes, as to the sayde Lorde Treasurer, or foure or more of the priuie Counsaile, of vs, our heires and successors for the time being (as aforesaid) shalbe from time to time by his or their wisdomes, or discretions thought meete and conuenient for the better reliefe and supportation of him the sayde Walter Raleigh, his heires and assignes, and euery or any of them, and of his or their or any of their associats and companies, any act, statute, law, or any thing to the contrary in any wise notwithstanding.

Provided alwayes, and our wil and pleasure is, and we do hereby declare to all Christian kings, princes, and states, that if the sayde Walter Raleigh, his heires or assignes, or any of them, or any other by their licence or appointment, shall at any time or times hereafter robbe or spoile by sea or by land, or doe any acte of vniust or vnlawfull hostilitie, to any of the subiects of vs, our heires or successors, or to any of the subiects of any of the kings, princes, rulers, Gouvernours, or estates, being then in perfect league and amitie with vs, our heires and successours, and that vpon such iniurie, or vpon iust complaint of any such Prince, Ruler, Gouvernor, or estate, or their subiects, wee, our heires and succes-

sors, shall make open Proclamation within any the portes of our Realme of England, that the saide Walter Raleigh, his heires and assignes, and adherents, or any to whom these our Letters patents may extende, shall within the termes to bee limited, by such Proclamation, make full restitution, and satisfaction of all such iniuries done: so as both we and the said Princes, or other so complaining, may holde vs and themselues fully contented: And that if the said Walter Raleigh, his heires or assignes, shall not make or cause to be made satisfaction accordingly within such time so to be limited, that then it shal be lawful to vs, our heires and successors, to put the sayde Walter Raleigh, his heires and assignes, and adherents, and all the inhabitants of the said places to be discovered (as is aforesaid) or any of them out of our allegiance and protection, and that from and after such time of putting out of protection of the said Walter Raleigh, his heires, assignes and adherents, and others so to be put out, and the said places within their habitation, possession and rule, shall be out of our allegiance and protection, and free for all Princes and others to pursue with hostilitie, as being not our subiects, nor by vs any way to be auouched, maintained, or defended, nor to be holden as any of ours, nor to our protection, or dominion, or allegiance any way belonging: for that expresse mention of the cleere yeerely value of the certaintie of the premisses, or any part thereof, or of any other gift, or grant by vs, or any our progenitors, or predecessors to the said Walter Raleigh, before this time made in these presents bee not expressed, or any other grant, ordinance, prouision, proclamation, or restraint to the contrary thereof, before this time, giuen, ordained, or provided, or any other thing, cause or matter whatsoever, in any wise notwithstanding. In witnesse whereof, wee haue caused these our letters to be made Patents. Witnesse our selues, at Westminster the five and twentie day of March, in the sixe and twentieth yeere of our Raigns.

Anno 1584.

The expedition thus inaugurated consisted of two ships, the one commanded by Philip Amidas, and the other by Arthur Barlow. They sailed from England on the 27th of April, 1584, and on July 4th following, arrived on the coast of America. Here, somewhat north of the West Indies and opposite what was afterwards called "Carolina," on the island of Wocoken, the southernmost of the islands forming Ocracoke Inlet, they lifted the British flag and took possession of the country in the name of Queen Elizabeth.

Prophetic July 4th! Little dreamed those mariners of England of the "Open Sesame" inscribed, unseen to mortal eye, upon that rippling banner! Little dreamed they how it



called upon the realms of Night to yield the sceptre of her ebon throne and let the Day come in; how it bid the Arcana of Nature to give up to Science and to Art their hoarded wealth; how it opened a way for the progress of Christianity, and spread out a land of light and freedom destined to become one of the first powers,

“In the Parliament of man, the Federation of the world.”

In September, 1584, upon their return from this voyage of discovery, Amidas and Barlow gave such splendid descriptions of the beauty and fertility of the country, the mildness of the climate, and of the gentleness of the aborigines, that Elizabeth, delighted with the idea of occupying so fine a territory, bestowed upon it the name of “Virginia,” as a memorial that this happy acquisition was made under a virgin Queen.

Thus did this imperial domain await the hour when, in the providence of God, it was conceded to the mighty forces at work among mankind, predestined to a Titanic progress under the Anglo-Saxon race, beneath the equal sway of law and liberty.

Twice did Sir Walter Raleigh endeavor to plant a colony upon the shores of the New World. On the island of Roanoke, not far from “Wocoken,” in 1585 and 1587, he made these efforts, but failed in both attempts. Having thus expended many thousand pounds in vain, he used the privilege of his patent March 7, 1589, to endow a company of merchants and adventurers with large concessions, and this act was the connecting link between the first efforts on Roanoke Island and the final colonization of Virginia.

The new instrument (“An indenture made between Sir Walter Raleigh, Chief Governor of Virginia, on the one part, and Thomas Smith, etc., etc., of the other part, witnesseth, etc.,”) was not an assignment of Raleigh’s patent, but the extension of a grant already held under its sanction, by increasing the number to whom the right of that charter belonged.

The assigns of Raleigh became the leaders in applying to James I. for leave “to deduce a colony into Virginia.” He

consented, and on the 10th of April, 1606, set his seal to the first colonial charter under which the English were planted in America.

Although Sir Walter Raleigh was not permitted to see his own personal schemes realized, they yet stamp him as the author of the Plantation idea in Virginia, and the pioneer in that great "Westward Ho," which still rings in the ears of civilized Europe.

# I.

## SIR WALTER RALEGH.

*Chief Governor of Virginia*

*and*

*Founder of Roanoke Colony.*

1585.

SIR WALTER RALEGH, an illustrious Englishman, was born at Hayes, in the parish of Budley, Devonshire, in 1552. He was for some time at Oriel College, Oxford, but the pursuits of ambition and an active life were more congenial to his tastes than academic labors. So at the age of seventeen he commenced his career as a soldier, being one of a number of volunteers sent by Elizabeth to France to support the Protestants. Here he remained nearly six years, when he returned to England, and in 1578 embarked for the Netherlands with the troops sent against the Spaniards. On getting home from this expedition, he found that his half-brother, Sir Humphrey Gilbert, had just obtained a patent for establishing a plantation in America, and into this scheme Raleigh entered with enthusiasm. They put to sea in 1579, but one of their ships was lost, and the remainder were crippled in an engagement with a Spanish fleet, so they came back without making land.

Raleigh now began a career of brilliant services to his country and mankind. In his military life in Ireland his bravery and intelligence were so conspicuous in quelling the insurgents, that he was received at court with unusual favor, and it is narrated that his position there was much strengthened by an act of knightly gallantry rendered personally to the Queen. One day as her Majesty was walking, the party came upon a muddy path, whereat the courtly Raleigh laid

his mantle at his sovereign's feet for her to step on. Elizabeth, struck anew at the polished courtesy of her subject, made him a knight indeed, and rewarded his many loyal and distinguished services by several lucrative grants, including a large share of the forfeited estates in Ireland. Raleigh, whose talents only needed opportunity, now soon rose to positions of honor and distinction in the royal service. One of the most interesting subjects which occupied his active mind was the colonization of "The New World" by the English people.

Sir Humphrey Gilbert's mother was the mother also, by a second marriage, of Sir Walter Raleigh, and it was this elder brother's zeal for seeking "summer isles" that first fired the heart of Raleigh

"To sail beyond the sunset and the baths  
Of all the western stars"

in search of riches, fame, and power.

On March 25, 1584, Raleigh obtained from Elizabeth an ample patent and the title of Lord Proprietor over an extensive region in America, which the Queen subsequently called "Virginia." Here, he made two unsuccessful attempts to found a colony, but his zeal in this matter was full of consequence and will never be forgotten in the annals of the early settlement of America.

When England was threatened by the Spanish Armada, Raleigh joined the fleet with a squadron of ships belonging to gentlemen volunteers, and contributed signally to the victory which it pleased Providence to grant the English over the Spaniards. He was now advanced at court, but, unfortunately, fell after a time into disfavor with the Queen. His success in the expedition to Cadiz, however, where his valor and prudence contributed so largely to a victorious result, combined with other important services, restored him to the partiality of his Queen.

But Raleigh's bravery, distinguished abilities, and great enterprise made him the object of envy as well as of admiration. Queen Elizabeth conferred honors upon him, but her succes-

sor sent him to the Tower. During a long confinement there of thirteen years he wrote his "History of the World," a book of unusual finish and erudition; and his contributions made from time to time to general literature were numerous and valuable. In March, 1615, he was liberated from prison, but not pardoned. A last unsuccessful venture in Guiana was the culmination of his disastrous efforts to redeem his fortunes. Having failed to find the gold on which so much depended, he returned to England in 1618, broken in hope and health. Soon afterwards he was arrested, and to please the Spanish, King James suffered the sentence of death to be executed on him.

Raleigh's life had been full of vicissitude, and after many triumphs and many failures, much honor and much misfortune, he finally finished his chequered course on the scaffold in Old Palace Yard, London, October 29, 1618. His behavior at the end was calm, and after addressing the people in his own justification he received the stroke of death with perfect composure. He remarked to the executioner, with a smile, as he felt the edge of the axe with his hand, "This is a sharp medicine, but it is one that will cure all diseases."

The following beautiful tribute to Raleigh is paid by the distinguished American historian, George Bancroft:

"The name of Raleigh stands highest among the statesmen of England who advanced the colonization of the United States. Courage which was never daunted, mild self-possession, and fertility of invention, insured him glory in his profession of arms, and his services in the conquest of Cadiz and the capture of Fayal established his fame as a gallant and successful commander.

"No soldier in retirement ever expressed the charms of tranquil leisure more beautifully than Raleigh, whose 'sweet verse' Spencer described as 'sprinkled with nectar' and rivalling the melodies of 'the summer's nightingale.' When an unjust verdict left him to languish for years in prison, with the sentence of death suspended over his head, his active genius plunged into the depths of erudition; and he who had been a warrior, a courtier, and a seaman, became the author of an elaborate 'History of the World.' In his civil career he was thoroughly an English patriot; jealous of the honor, the prosperity, and the advance-

ment of his country; the steadfast antagonist of the exorbitant pretensions of Spain. In parliament, he defended the freedom of domestic industry. When, through unequal legislation, taxation was a burden upon industry rather than wealth, he argued for a change; himself possessed of a lucrative monopoly, he gave his voice for the repeal of all monopolies; he used his influence with his sovereign to mitigate the severity of the judgments against the non-conformists, and as a legislator he resisted the sweeping enactment of persecuting laws.

"In the career of discovery, his perseverance was never baffled by losses. He joined in the risks of Gilbert's expedition; contributed to that of Davis in the northwest, and explored in person 'the insular regions and broken world' of Guiana. His lavish efforts in colonizing the soil of our republic, his sagacity which enjoined a settlement within the Chesapeake Bay, the publications of Hariot and Hakluyt which he countenanced, diffused over England a knowledge of America, as well as an interest in its destinies, and sowed the seeds of which the fruits were to ripen during his life-time, though not for him.

"Raleigh had suffered in health before his last expedition. He returned broken-hearted by the defeat of his hopes, by the decay of his strength, and by the death of his eldest son. What shall be said of King James, who would open to an aged paralytic no other hope of liberty but through success in the discovery of mines in Guiana? What shall be said of a monarch who could, at that time, under a sentence which had slumbered for fifteen years, order the execution of a decrepit man, whose genius and valor shone through the ravages of physical decay, and whose English heart still beat with an undying love for his country?"

After the lapse of two long centuries, the state of North Carolina revived in its capital the name of this chief author of early colonization in the United States, and future generations in America will cherish the memory of Sir Walter Raleigh not only as the founder of Virginia, but as one whose laws should "be not against the true, Christian faith now professed in the Church of England."

To him belongs the meed of making here the wilderness and the solitary place glad, and of opening a way for the desert "to rejoice and blossom as a rose."

## II.

### RALPH LANE.

*Governor of Raleigh's 1st Colony.*

1585-1586.

RALPH LANE, second son of Sir Ralph Lane, of Orlingbury, and his wife Maud, daughter of William, Lord Parr (uncle of Queen Catherine Parr), was born in Northamptonshire about 1530; entered the Queen's service in 1563, and was so much esteemed by Elizabeth for his services as a soldier that she knighted him. In 1585 Sir Walter Raleigh sent out from England a fleet of seven sail, with people to form a settlement in Virginia, deputing Sir Richard Grenville to be General of the expedition and Mr. Ralph Lane to be Governor of the Colony. This was the *first* English settlement ever planted in America, and was established on Roanoke Island. It consisted of 107 persons, under the government of Lane. The colonists suffered great dangers from the machinations of the Indians, who at first intended to starve them by abandoning them, and leaving the island unsown. Foiled here, they next formed a conspiracy for the general massacre of the colonists. This, however, was frustrated by the vigilance of the English Governor, who contrived a counterplot, in execution of which Pemisapan, the wicked son of the good old Indian king, Ensenore, was slain on June 1, 1586.

Unable, however, to contend with hostile Indians and want of provisions, the whole Colony returned to England June 18, 1586. Lane carried tobacco home with him, and Sir Walter Raleigh, at that time a man of gaiety and fashion, adopting the Indian usage of smoking it, by his influence

and example introduced it at court, where the pipe soon became the mode.

Thus terminated the *first* English colony planted in  
| America. The only acquisition made by this expensive  
experiment was a knowledge of "the weed," and a better  
acquaintance with the country and its inhabitants.



# III.

## JOHN WHITE.

### *Governor of Raleigh's 2d Colony.*

1587.

ON April 26, 1587, Sir Walter Raleigh, intent on planting the territory of Virginia within his patent (it was "to continue the space of six years, and no more") sent out another company of 150 adventurers. He incorporated them by the name, "The Borough of Raleigh in Virginia," and constituted John White, Governor, in whom, with a council of twelve persons, the legislative power was vested; and they were directed to plant at the Bay of Chesapeake and to erect a fort there. They, however, landed at Roanoke, July 22, and commenced a second plantation. On August 13, Manteo, a friendly Indian, was baptized in Roanoke, and according to a previous order of Sir Walter Raleigh was called, Lord of Roanoke. On the 18th of August, Mrs. Dare, daughter of the Governor, gave birth to a daughter in Roanoke, and on the next Lord's day the infant was baptized "Virginia," being the first English child born in the country. On the 27th of August, at the urgent solicitation of the whole Colony, the Governor sailed for England to procure supplies, but of his countrymen who remained behind, nothing was ever afterwards known.

Governor White, though personally detained in England (being of the Queen's Council and the country threatened with war), sent in 1588 supplies for the relief of the Colony, but this expedition, more intent on taking prizes than in sailing to Virginia, was finally disabled and rifled by two men of war and was compelled to put back for England. In 1590, however, Governor White, being at liberty to return to his Colony, sailed March 20 from Plymouth with

three ships and went to the place where he had left the English settlers. Coming to this landing point, he found on a tree at the top of the bank, CRO carved in distinct Roman letters, but the cross, the sign of distress, was wanting; further on they found carved on a tree, CROATOAN. This Croatoan was an Indian town on the north side of Cape Lookout, and thither Governor White determined to sail next day, but a violent storm arose and being short of water and provisions they went back to England. It is said that Raleigh sent out five times, at his own charges, to the succor of the Colony left in Virginia in 1587. Other efforts were also made to search for these lost emigrants, but all to no avail. Their fate was never known, and so ended in tragic eclipse Sir Walter Raleigh's enterprise for settling the New World. The Governor of this last ill-starred effort, John White, came first to Virginia with Governor Lane in 1585, and was always interested in this initial work. Though White's Colony met with such a doubtful fate in his absence, he sought again and again to find some traces of it, and was conspicuous in his concern in the adventure of settling America.

He was a good artist, made maps of the various portions of Virginia which he visited and drawings of the inhabitants, etc. Some of his paintings are now in the Sloane collection and in the Greenville Library, British Museum.

## IV.

### SIR THOMAS SMITH.

*First President of the London Company, and its  
Treasurer.*

1605-1607.

KING JAMES I., having recently made peace with Spain, and the passion for the discovery of a northwest passage being now in its full vigor, a ship was sent out with a view to this purpose by the Earl of Southampton and Lord Arundel, under the command of Capt. George Weymouth. He sailed from England on the last of March, 1605, and remained a month exploring the American coast. The discovery of which he seems to have been proudest was that of the Penobscot River. On his return to England he took with him five Indians, three of whom he yielded to Sir Ferdinando Gorges, the Governor of the town of Plymouth, whose attention was thus addressed to the New World. The information Gorges gathered from Weymouth filled him with the strongest desire to become a proprietary of lands beyond the Atlantic. His influence, with that of Sir John Popham, Lord Chief Justice of England, and the combined enthusiasm of the assigns of Raleigh, were the means employed by Providence to induce King James I. to set his seal to the patent of April 10, 1606. He divided that portion of North America which stretches from the 34th to the 45th degree of north latitude into two districts, nearly equal. The southern, called the First Colony, he granted to the London Company; the northern, called the Second Colony, he granted to the Plymouth Company. He authorized Sir Thomas Gates, Sir George Somers, Richard Hakluyt, Edward Maria Wingfield, and their associates, chiefly resident in London, to settle any part that they should choose of the southern district, and vested in them a right of prop-

erty to the land extending along the coast fifty miles on each side of the place of their first habitation, and reaching into the interior country 100 miles. The northern district he allotted as a place of settlement to several knights, gentlemen, and merchants of Bristol, Plymouth, and other parts of the West of England, with a similar grant of territory. The following is an extract from the instructions given for the government of the Colonies :

*ARTICLES, INSTRUCTIONS AND ORDERS made, sett down and established by us, the twentieth day of November, in the year of our raigne of England, France, and Ireland the fourth and of Scotland the fortieth, for the good Order and Government of the two several Colonies and Plantations to be made by our loving subjects, in the Country commonly called Virginia and America, between thirty-four and forty-five degrees from the æquinotial line.*

Whereas Wee, by our letters pattents under our great seale of England, bearing date att Westminster, the tenth day of Aprill, in the year of our raigne of England, France and Ireland the fourth, and of Scotland the 39th, have given lycence to sundry our loving subjects named in the said letters pattents and to their associates, to deduce and conduct two several Colonies or plantations of sundry our loving people willing to abide and inhabit in certain parts of Virginia and America, with divers preheminences, priviledges, authorities and other things, as in and by the same letters pattents more particularly it appeareth, Wee according to the effect and true meaning of the same letters pattents, doe by these presents, signed with our hand, signe manuel and sealed with our privy seale of our realme of England, establish and ordaine, that our trusty and well beloved Sir William Wade, Knight, our Lieutenant of our Tower of London, Sir Thomas Smith, Knight, Sir Walter Cope, Knight, Sir George Moor, Knight, Sir Francis Popeham, Knight, Sir Ferdinando Gorges, Knight, Sir John Trevor, Knight, Sir Henry Montague, Knight, recorder of the city of London, Sir William Rumney, Knight, John Dodderidge, Esq., Solicitor General, Thomas Warr, Esqr., John Eldred of the city of London, merchant, Thomas James of the city of Bristol, merchant, and James Bagge of Plymouth, in the county of Devonshire, merchant, shall be our counsel for all matters which shall happen in Virginia or any the territories of America, between thirty-four and fourty-five degrees from the æquinotial line northward, and the Islands to the several collonies limitted and assigned, and that they shall be called the King's Council of Virginia, which council or the most part of them shal have full power and authority, att our pleasure, in our name, and under us, our heires and successors, to give directions to the counsels of the several collonies which

shal be within any part of the said country of Virginia and America, within the degrees first above mentioned, with the Islands aforesaid, for the good government of the people to be planted in those parts, and for the good ordering and desposing of all causes happening within the same, and the same to be done for the substance thereof, as neer to the common lawes of England, and the equity thereof, as may be, and to passe under our seale, appointed for that council, which council, and every and any of them shall, from time to time be increased, altered or changed, and others put in their places, att the nomination of us, our heires and successors, and att our and their will and pleasure, and the same council of Virginia, or the more part of them, for the time being, shall nominate and appoint the first several councellours of those several councilles, which are to be appointed for those two several colonies, which are to be made plantations in Virginia and America, between the degrees before mentioned, according to our said letters pattents in that behalfe made; and that each of the same councils of the same several colonies shal, by the major part of them, choose one of the same council, not being the minister of God's word, to be president of the same council, and to continue in that office by the space of one whole year unless he shall in the meantime dye or be removed from the office; and we doe further hereby establish and ordaine, that it shal be lawful for the major part of either of the said councilles, upon any just cause, either absence or otherwise, to remove the president or any other of that council, from being either president, or any of that council; and upon the deathes or removal of any of the presidents or council, it shall be lawful for the major part of that council to elect another in the place of the party soe dying or removed, so alwaies, as they shal not be above thirteen of either of the said councellours, and wee doe establish and ordaine, that the president shal not continue in his office of presidentship above the space of one year; and wee doe specially ordaine, charge, and require the said president and councilles, and the ministers of the said several colonies respectively, within their several limits and precincts, that they, with all diligence, care, and respect, doe provide, that the true word and service of God and Christian faith be preached, planted, and used, not only within every of the said several colonies, and plantations, but alsoe as much as they may amongst the salvage people which doe or shall adjoine unto them, or border upon them, according to the doctrines, rights, and religion now professed and established within our realme of England.

Sir Thomas Smith, chief of the assignees of the patent of Sir Walter Raleigh, was the first President of the Council of the London Company of Virginia, and its Treasurer until the close of 1618. His services in establishing a Colony in Virginia, and thus securing a foothold for England in

America, cannot be overestimated, and a history of the factions in the Virginia Company after this period of its earliest inauguration, will show the storms and struggles through which the infant Colony began its life. Sir Thomas Smith was the third son of Thomas Smith, commonly called "Mr. Customer Smith," and Alice, daughter and heiress of Sir Andrew Judde, Lord Mayor of London (by whom he acquired the manors of Ashford and Westure). Sir Thomas Smith was born about 1558, was educated at Oxford, and at an early age became a prominent man.

It is greatly to be regretted that the history of Sir Thomas Smith's administration of affairs in Virginia rests almost entirely upon the adverse testimony of his opponents. But that his services were recognized by the crown, is to be seen in the fact that in the second charter to "The Treasurer and Company of Adventurers and Planters of the City of London for the First Colony in Virginia," he was named as one of "our Council for the said Company."

"And the said Thomas Smith we do ordain to be Treasurer of the said Company, which Treasurershall have authority to give order for the warning of the Council and summoning the Company to their courts and meetings."

That the distant colonists may have had their grievances is true, as is related in "A Briefe Declaration of the Plantation of Virginia Duringe the First Twelve Yeares, when Sir Thomas Smith was Governor of the Companie, and downe to the present tyme" (1621), but, the conclusion is inevitable that Sir Thomas Smith had much to do with the permanent establishment of the Virginia Colony. He was Treasurer and Governor of the Company during the first twelve years, which ended the 18th of November, 1618, and his administration was confined to a presidency of the Council and Company *in England*, while the affairs of the Colony were managed by one of the Council resident there. He was never actually Governor in Virginia.

It was on March 9, 1607, that King James I. issued the following:

"An Ordinance and Constitution enlarging the number of

our Councel for the two several Colonies and Plantations in Virginia and America, between thirty-four and forty-five degrees of northerly latitude, and augmenting their authority, for the better directing and ordering of such things as shall concerne the said Colony." \*

Sir Thomas Smith died Sept. 4, 1625, at his house at Tunbridge, and was buried under a most superb monument in Hone Church, Kent.

The following inscription will give some idea of the scope of his usefulness, and the honors which he won :

"To the glory of God, and to the pious memorie of the honorable Sir Thomas Smith, Knt. (late Governor of the East Indian, Muscovia, French, and Sommer Island Companies; Treasurer for the Virginia Plantation; prime undertaker [in the year 1612] for that noble designe, the discoverie of the North-West passage; principall commissioner for the London expedition against the pirates and for a voiage to the ryver Senega, upon the coast of Africa; one of the chief commissioners for the navie-roial, and sometime ambassador from His Majestie of Great Britain to the emperour and great duke of Russia and Muscovia, etc.), who, havinge judiciously, conscionably, and with admirable facility, managed many difficult and weighty affairs to the honor and profit of this nation, rested from his labors the 4th day of Septm., 1625."

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\*From a MS. record book in the Land Office of Virginia—Book No. 2. See Hening's "Statutes at Large" (Virginia), Vol. I., pp. 76-79.

## V.

### EDWARD MARIA WINGFIELD.

#### *President of the Council in Virginia.*

May 13, 1607, to September 10, 1607.

ON the reception of the patent from King James, April 10, 1606, several persons of consequence in the English nation undertook the arduous task of planting the Southern Colony. Having chosen a Treasurer, and appointed other officers, they provided a fleet of three ships to transport the emigrants, 100 in number, to Virginia. The charge of this embarkation was committed to Christopher Newport, already famous for his skill in western navigation, who sailed from the Thames on the 20th of December, carrying with him the royal instructions and the names of the intended Colonial Council, carefully concealed in a box. It was the intention of Captain Newport to land at Roanoke, but being driven by a violent storm to the northward of that place, he stood directly into the spacious Bay of Chesapeake, which seemed to invite his entrance. The promontory on the south of the bay he named Cape Henry, in honor of the Prince of Wales, and that on the north Cape Charles, in honor of the Duke of York, afterward King Charles I. of England. Thirty men going on shore at Cape Henry for recreation were suddenly assaulted by five Indians, who wounded two of them very dangerously. At night the box was opened and the orders were read, in which Bartholomew Gosnold, John Smith, Edward Wingfield, Christopher Newport, John Ratcliffe, John Martin, and George Kendall were named to be of the Council, and to choose from their number a President for a year, who, with the Council, should govern the Colony. The adventurers were employed in seeking a



place for settlement until the 13th of May, when they took possession of a peninsula on the north side of the river Powhatan (called by the English, James River), about forty miles from its mouth. To make room for their projected town, they here began to cut down the trees of the forest, which had for centuries afforded shelter and food to the natives. The code of laws, hitherto cautiously concealed, was at length promulgated. Affairs of moment were to be examined by a jury, but determined by the major part of the Council, in which the President was to have two voices. The Council was sworn, Wingfield was chosen President, and "now commenced the rule of the most ancient administration of Virginia, consisting of seven persons, and forming a pure aristocracy." In honor of King James, they called the town they now built, Jamestown.

"Captain Edward Maria Wingfield, of Stoneley Priorye" in Huntingdonshire, was born 1560. He commenced life as a soldier and was a prisoner of war at Lisle with Ferdinando Gorges, where probably their friendship began, which resulted in a closer association in the colonizing of Virginia. Wingfield was elected, May 4, 1607, the first President of the first Council of the first permanent English Colony in America, but becoming obnoxious to the Company he was deposed from the presidency, September 10, 1607, and Captain Ratcliffe elected in his place. Wingfield was of a Catholic family. Cardinal Pole and Queen Mary were sponsors for his father. He left Virginia, April 10, 1608, and arrived in England, May 21, 1608. He wrote "A Discourse of Virginia," which was first printed in 1860 by the American Antiquarian Society.

## VI.

### JOHN RATCLIFFE.

#### *President of the Council in Virginia.*

September 10, 1607, to September 7, 1608.

CAPTAIN JOHN RATCLIFFE was President of the Virginia Colony from September 10, 1607, to September 7, 1608, when, suffering from a wounded hand, he went to England, but returned the following year, in July, in command of the *Diamond*, with colonists. Many dissensions divided the Colony at this time and its history is a sad recital of rivalries and jealousies, privations and sufferings, among the settlers, and dangers seen and unseen from the treacherous Indians.

It is said that Ratcliffe was "betrayed and murdered by Powhatan in the winter of 1609-1610." In one of the manuscripts preserved by the remarkable Hakluyt, which came into the hands of the Rev. Samuel Purchas, and which was "written by that honorable gentleman, Master George Percy," we read: "The eleventh day (September, 1607) there was certain articles laid against Master Wingfield, which was then President; thereupon he was not only displaced out of his Presidentship, but also from being of the Councell. Afterwards Captaine John Ratcliffe was chosen President."

## VII.

### CAPTAIN JOHN SMITH.

#### *President of the Council in Virginia.*

September 10, 1608, to August, 1609.

CAPTAIN JOHN SMITH, according to his own account, "was born in Willoughby in Lincolneshire, and a scholler in the two free schooles of Alford and Louth. His father anciently descended from the ancient Smiths of Crudley in Lancashire, his mother from the Rickands at great Heck in Yorkshire. His parents dying when he was about thirteene years of age, left him a competent means, which hee not being capable to manage little regarded; his minde being even then set upon brave adventures, sould his satchell, books, and all he had, intending secretly to get to sea, but that his father's death stayed him."

In the register of the Willoughby Rectory is found an entry of the baptism of John, son of George Smith, under date of January 9, 1579. Peculiarly courageous, restless, and fond of adventure, he left his native country at the age of fifteen, traveled in France, and served in the Netherlands, a soldier in the cause of liberty. After having returned to England and devoted some attention to military tactics and history, he went again to France and embarked thence for Italy with a company of Pilgrims, who, regarding him as a heretic, threw him into the sea near a small island off Nice, to calm a tempest by which they were overtaken. He swam to the shore and proceeded to Alexandria. In returning, he entered the service of Hungary against the Turks, where he soon distinguished himself and obtained the command of a body of horse. At the siege of Regal, a Turkish nobleman sending a challenge to fight with any Christian captain who would venture a contest for the amusement of the ladies, Smith accepted

the offer, and meeting his antagonist on horseback bore away his head, and gained a similar victory in a second and third contest. For this exploit he was given a coat of arms, as seen by the following :

“Sigismundus Bathor, by the Grace of God, Duke of Transilvania, Wallachia, and Moldavia, Earle of Anchard, Salford and Growenda ; to whom this Writing may come or appeare. Know that We have given leave and licence to John Smith, an English Gentleman, Captaine of 250 Souldiers, under the most Generous and Honourable Henry Volda, Earl of Meldritch, Salmaria, and Peldvia, Colonell of a thousand horse, and fifteen hundred foot, in the warres of Hungary, and in the provinces aforesaid under our authority ; whose service doth deserve all praise and perpetuall memory towards us, as a man that did for God and his Country overcome his enemies : Wherefore out of Our love and favour, according to the law of Armes, We have ordained and given him in his shield of Armes, the figure and description of three Turks’ heads, which with his sword before the towne of Regall, in single combat he did overcome, kill, and cut off, in the Province of Transilvania.”

Captain Smith was afterwards taken prisoner by the Turks, and sold as a slave. Escaping from this tyranny, he traveled much in Northern Europe, passed into Spain, and finally went to Morocco. From thence he returned to England. Aged about 26 and full of experience and honors, he eagerly joined in the great drama of discovery and adventure in which he found some of his countrymen engaged. He entered with enthusiasm into the project of colonizing the New World, and with Newport, Gosnold, Ratcliffe, Wingfield, Hunt, and others, set out in December, 1606, with a squadron of three small vessels for Virginia, under the authority of a charter granted by James I. The *Sarah Constant*, in charge of Captain Christopher Newport, the commander of the expedition, carried seventy-one men ; the *Godspeed*, in charge of Captain Bartholomew Gosnold, carried fifty-two men, and the *Discovery*, a pinnace, in charge of John Ratcliffe, carried twenty men. They landed May 13th, at

Jamestown. Amidst the unhappy dissensions, difficulties, and distresses of the first years of the great enterprise, Smith rendered the most important services by his irrepressible hopefulness, his practical wisdom, and his vigorous government. But for his wisdom and noble exertions the project would probably have been abandoned. He made important geographical explorations and discoveries. In 1607, ascending the Chickahominy and penetrating into the interior of the country, he and his comrades were captured by the Indians, and he only, by his rare self-possession, escaped with life. He remained a prisoner for some weeks, carefully observed the country, got some knowledge of the language of the natives, and when at last they were going to put him to death, he was saved by the affectionate pleading of Pocahontas, the daughter of the chief Powhatan, a girl ten or twelve years old. Reconducted to Jamestown, Smith had need for all his energy to save the desponding colonists. In the summer of 1608 he explored in an open boat the Bay of the Chesapeake and its tributary rivers, a navigation of nearly 3000 miles. He also penetrated inland, established friendly relations with the Indians, and prepared a map of the country. On his return from this wonderful expedition, he was made President of the Colonial Council. In 1609 he was severely injured by an accidental explosion of gunpowder, and without reward for his splendid services, except in his own conscience and the applause of the world, returned to England.

Three times had Smith prevented the abandonment of the Colony, preserved it from starvation and destruction for nearly three years, and had left it, on a change of administration, in a condition to take care of itself with judicious management. This great work, accomplished in a new settlement rent by intestine dissensions and threatened hourly with destruction by a wily and powerful foe, would surely entitle the author of it, to be called "The Father of the Colony."

It was during Captain Smith's term of office as President of the Colonial Council that King James I. granted "The second Charter to the Treasurer and Company, for Virginia, erecting them into a corporation and Body Politic, and for

the further enlargement and explanation of the privileges of the said Company and First Colony of Virginia."\*

Having returned to England in a torn and bleeding state from his injury, in the autumn of 1609, Captain Smith remained there until March 3, 1614, when he set sail on a voyage of discovery to North Virginia. He ranged the coast east and west from Penobscot to Cape Cod, and bartered with the natives for beaver and other furs. By this voyage he made a profit of nearly £1500. From the observations which he now made, on shores, islands, harbors, and headlands, he on his return home formed a map, and presented it to Prince Charles, who, in the warmth of admiration, declared that the country should be called New England.

Smith in this voyage made several discoveries, and distinguished them by peculiar names. The northern promontory of Massachusetts Bay, forming the eastern entrance into the bay, he named *Tragabigzanda*, in honor of a Turkish lady to whom he had been formerly a slave at Constantinople. Prince Charles, however, in filial respect to his mother, called it *Cape Ann*, a name which it still retains. The three small islands lying at the head of the promontory, Smith called the "Three Turks' Heads," in memory of his victory over three Turkish champions; but this name has also been changed. Another cluster of islands, to which the discoverer gave his own name, "Smith's Isles," was afterwards denominated "The Isles of Shoals," and still retains that name. On one of these isles (*Star Island*), erected on the southerly summit, stands a marble shaft in honor of John Smith.

Encouraged by commercial success, Smith, in 1615, in the employment of Sir Ferdinando Gorges and of friends in London who were members of the Plymouth Company, endeavored to establish a colony in New England. Sixteen men were all whom the adventurers destined for this occupation. The attempt was unsuccessful. Smith was forced by violent storms to return. Again renewing his enterprise, he suffered from the treachery of his companions, and was intercepted by

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\* Dated May 23d, 1609, James 1st, Stith's App., No. 2. See Hening's "Statutes at Large," Vol. I., p. 80 (Virginia).

French pirates. His ship having been taken away, he himself escaped alone, in an open boat, from the harbor of Rochelle. The severest privations in a new settlement would have been less wearisome than the labors which his zeal now prompted him to undertake. Having published a map and a description of New England, he spent many months in 1617 visiting the merchants and gentry of the West of England, to excite their enterprise. He proposed to the cities, mercantile profits to be realized in short and safe voyages; to the noblemen, vast dominions; from men of small means, his earnestness concealed the hardships of emigrants, and upon the dark ground drew a lively picture of the rapid advancement of fortune by colonial industry, of the abundance of game, the delights of unrestrained liberty, and the pleasures to be derived from "angling and crossing the sweet air from isle to isle over the silent streams of a calm sea." The Company began now to form vast plans of colonization; Smith was appointed Admiral of the country for life, and a renewal of the letters patent, with powers analogous to those possessed by the Southern Company, became an object of eager solicitation. But a new charter was not obtained without vigorous opposition. After two years' entreaty, the ambitious adventurers gained everything which they had solicited, and in November, 1620, King James issued to forty of his subjects, some of them members of his household and his government, the most wealthy and powerful of the English nobility, a patent, which in American annals, and even in the history of the world, has scarcely a parallel. The adventurers and their successors were incorporated as "The Council established at Plymouth, in the County of Devon, for the planting, ruling, ordering, and governing New England, in America."

Smith never lived to see, even partially realized, his hopes of colonization in South or North Virginia. He demonstrated the power of enthusiasm in accomplishing great ends, but like many another hero, he fell unhonored while his work went on. For twenty years he was a voluminous writer, and with his sword and pen laid the foundations of the noble commonwealth of Virginia, whose glory will ever shed luster on his name.

“Captain John Smith died unmarried, nor is there any record that he ever had wife or children. This disposes of the claim of subsequent John Smiths to be descended from him. He was the last of that race; the others are imitations. He was wedded to glory. That he was not insensible to the charms of female beauty, and to the heavenly pity in their hearts, which is their chief grace, his writings abundantly evince; but to taste the pleasures of dangerous adventure, to learn war, and to pick up his living with his sword, and to fight wherever piety showed recompense would follow, was the passion of his youth, while his manhood was given to the arduous ambition of enlarging the domains of England, and enrolling his name among those heroes who make an ineffaceable impression upon their age. There was no time in his life when he had leisure to marry, or when it would have been consistent with his schemes to have tied himself to a home.”

He died in London, June 21, 1631, in his fifty-second year, and was buried in St. Sepulcher's Church.

The following record is taken from Stow's "Survey of London," 1633:

“This table is on the south side of the choir in St. Sepulcher's, with this inscription:

TO THE LIVING MEMORY  
of his  
Deceased Friend,  
CAPTAIN JOHN SMITH,  
Who Departed this Mortall Life  
on the  
21st Day of June, 1631.

with his arms and this motto:

*Accordamus, vincere est vivere.*

Here lies one conquer'd  
that hath conquer'd Kings,  
Subdu'd large Territories,  
and done things  
Which to the World  
impossible would seeme,  
But that the truth  
is held in more esteeme.



Shall I report  
His former service done  
In honour of his God  
and Christendome :  
How that he did  
divide from Pagans three,  
Their heads and Lives,  
types of his chivalry :  
For which great service  
in that Climate done,  
Brave Sigismundus  
(King of Hungarion)  
Did give him as a Coat  
of Armes to weare,  
Those conquer'd heads  
got by his Sword and Speare ?  
Or shall I tell  
of his adventures since,  
Done in *Virginia*,  
that large Continençe?  
How that he subdu'd  
Kings unto his yoke,  
And made those heathen flie,  
as wind doth smoke :  
And made their Land,  
being of so large a Station,  
A habitation  
for our Christian Nation :  
Where God is glorifi'd,  
their wants suppli'd,  
Which else for necessities  
might have di'd?  
But what avails his Conquest,  
now he lyes  
Inter'd in earth,  
a prey for Wormes and Flies?  
O may his soule  
in sweet Elizium sleepe,  
Until the Keeper  
that all soules doth keepe,  
Return to judgement,  
and that after thence,  
With Angels he may have  
his recompence.

“Captain John Smith, sometime Govenour of *Virginia*, and Admirall  
New England.”

"The same day that he died, he made his last will, to which he appended his mark, as he seems to have been too feeble to write his name. He commends his soul 'into the hands of Almighty God, my Maker, hoping through the merits of Christ Jesus, my Redeemer, to receive full remission of all my sins, and to inherit a place in the everlasting kingdom'; his body he commits to the earth whence it came, and 'of such worldly goods whereof it hath pleased God in His mercy to make me an unworthy receiver,' he bequeathes, first, to Thomas Packer, Esq., one of His Majesty's clerks of the Privy Seal, 'all my houses, lands, tenancements and hereditaments whatsoever, situate, lying and being in the parishes of Louthé and Great Carleton, in the county of Lincoln, together with my coat of armes, etc., etc.' He also leaves a legacy to his 'Sister Smith,' the widow of his brother, etc. This coat of arms is described in Burke's 'Encyclopedia of Heraldry' as granted to Captain John Smith, of the Smiths of Crudley County, Lancaster, as follows: 'Vert, a chev. gu betw. three Turks' heads coupéd ppr turbaned or. *Crest*—An Ostrich or. holding in the mouth a horseshoe or.'"

So passed from the arena of life a man who has left his impress upon the world's history. To contemplate his career as a whole, it presents only a view of marvelous exploits and heroic adventures, with scanty foreshadowings in his brief journey of two and fifty years, of the mighty consequences of his life-work. But, in the section of that panorama which shows Captain Smith as the founder of the Jamestown Colony, we see now beyond the canvas, and behold, a mighty empire has arisen where those brave settlers led the way. An organized and powerful home of freedom stretches from sea to sea; and with "one country, one constitution, and one destiny," the invitation has gone out to all the peoples of the earth to come and join in this great heritage!

The following extracts afford an interesting insight to a portion of early Virginia history, and also show the honor in which Captain John Smith was held by some distinguished Americans of the nineteenth century:

On "the tenth of September, 1608, by the election of the Councill and request of the Company, Captain Smith received the Letters Patents, which till then by no meanes he would accept, though he was often importuned thereunto. Now, the building of Ratcliffe's Pallace stayed as a thing needlesse; the Church was repaired; the Store-house recouered; buildings prepared for the Supplyes we expected; the Fort reduced to a fine square

forme ; the order of the Watch renewed ; the squadrons (each setting of the Watch) trained ; the whole Company every Saturday exercised in the plaine by the west Bulwarke, prepared for that purpose, we called Smithfield ; where sometimes more than an hundred Salvages would stand in an amazement to behold how a fyle would batter a tree, where he would make them a marke to shoot at ; the boats trimmed for trade, which being sent out with Lieutenant Percy, in their Journey incountred the second Supply, that brought them back to discover the Country of Monacan."—*The True Travels, Adventures, and Observations of Captain John Smith.*

"The summer of 1608 is remarkable in the Virginia annals for the first voyage towards the source of the Chesapeake. Captain John Smith, in an open barge, with fourteen persons and a very scanty stock of provisions, explored the whole of that great extent of water, from Cape Henry where it meets with the ocean to the river Susquehanna ; trading with some tribes of Indians, and fighting with others. He discovered and named many small islands, creeks, and inlets ; sailed up many of the great rivers ; and explored the inland parts of the country. Smith after sailing about 3,000 miles, returned to Jamestown. Having made careful observations during this excursion of discovery, he drew a map of Chesapeake Bay and of the rivers, annexing to it a description of the countries, and of the nations inhabiting them, and sent it to the Council in England ; and this map was made with such admirable exactness that it is the original from which all subsequent maps and descriptions of Virginia have been chiefly copied. His superior abilities obtained the ascendancy over envy and faction. Although he had lately been refused a seat at the Council board, he was now, by the election of the Council and the request of the settlers, invested with the government, and received letters patent to be President of the Colony. The wisdom of his administration infused confidence ; its vigor commanded obedience."—*Annals of America, by Abiel Holmes.*

"Captain Smith, who next to Sir Walter Raleigh may be considered as the founder of our Colony, has written its history from the first adventures to it, till the year 1624. He was a member of the Council and afterwards President of the Colony, and to his efforts principally may be ascribed its support against the opposition of the natives. He was honest, sensible, and well-informed, but his style is barbarous and uncouth. His history, however, is almost the only source from which we derive any knowledge of the infancy of our state."—*Thomas Jefferson, Notes on the State of Virginia.*

"He united the highest spirit of adventure with eminent powers of action. His courage and self-possession accomplished what others esteemed desperate. Fruitful in expedients, he was prompt in execution. He was accustomed to lead, not to send, his men to danger ; would suffer want rather than borrow, and starve sooner than not to pay. He had a

just idea of the public good and his country's honor. To his vigor, industry, and resolution the survival of the Colony is due. He clearly discerned that it was the true interest of England not to seek in Virginia for gold and sudden wealth, but to enforce regular industry. 'Nothing,' said he, 'is to be expected thence but by labor.'"—*Bancroft's History of the United States of America.*

"Discord, anarchy, and confusion mark the early history of these colonists (1608), and but for the genius, courage, and skill of Smith, they had shared the fate of the Colony of Roanoke. Guided by his talents, influenced by his example, under the wise administration of Smith, the Colony of Virginia was founded."—*Historical Sketches of North Carolina, by John H. Wheeler.*

"In proof of the religious character of Captain Smith, as a part of the history of James City Parish, I quote the following account of the first place of worship in the same, etc.:

"Now, because I have spoken so much for the body, give me leave to say somewhat of the soul; and the rather, because I have been demanded by so many, how we began to preach the Gospel in Virginia, and by what authority, what churches we had, our order of service, and maintenance for our ministers; therefore, I think it not amiss to satisfy their demands, it being the mother of all our Plantations, entreating pride to spare laughter, to understand her simple beginnings and proceedings. When I went first to Virginia, I well remember, we did hang an awning (which is an old sail) to three or four trees, to shadow us from the sun; our walls were rails of wood, our seats unhewed trees till we cut planks, our pulpit a bar of wood nailed to two neighboring trees; in foul weather we shifted into an old rotten tent, for we had few better; and this came by way of adventure for new. This was our church till we built a homely thing like a barn, set upon crotchets, covered with rafts, sedge, and earth; so was also the walls. The best of our houses were of the like curiosity, but the most part far much worse workmanship, that could neither well defend wind nor rain, yet we had daily Common Prayer, morning and evening, every Sunday two sermons, and every three months the holy communion, till our minister died (the Rev. Mr. Hunt). But (after that) our prayers daily, with an homily on Sundays, we continued two or three years after, till more preachers came, and surely God did most mercifully hear us, etc.

CAPT. JOHN SMITH.'

"Of the piety of Captain Smith we have further evidence in the account given of the survey of Virginia, when he and his valiant comrades fell into so many perils among the Indians. 'Our order was daily to have prayer with a psalm, at which solemnity the poor savages much wondered.'

"On Smith's return to Jamestown, notwithstanding all former opposition, such were his merits and such its difficulties that the Council elected him President of the Colony; and the first thing done was to repair the church, which, during his absence among the Indians, had, with other houses, been destroyed by fire. Characteristic and evincive of piety in him is the statement of it:—'Now the building of the palace was stayed as a thing *needless*, and the church was *repaired*.'"—*"Old Churches," etc., by Bishop William Meade, P. E. C.*

"He was one of the persons selected by the Company to govern the infant Colony of Virginia; he was entrusted with the charge of two expeditions to New England, and was appointed Admiral of that country. His maps of the countries he visited, and descriptions of their inhabitants, are acknowledged by all writers to be remarkably accurate, and the estimation in which he was held by those who knew him best is admirably expressed by one of the writers in the 'Oxford Tract,' upon the occasion of his departure from the Colony, in these words: 'What shall I say, but thus we lost him; that in all his proceedings made justice his first guide, and experience his second, ever hating baseness, sloth, pride, and indignitie more than any dangers; that never allowed more for himselfe than for his soldiers with him; that upon no danger would send them where he would not lead them himselfe; that would never see us want what he either had or could by any means get us; that would rather want than borrow, or starve than not pay; that loved action more than wordes, and hated falsehood and covetousness worse than death; whose adventures were our lives, and whose losse our deaths.'

"The London Company was prompted in sending out the Colony by the desire of immediate gain, and when disappointed threatened to abandon the colonists to their fate; and the hardships of colonial life made many desirous of abandoning the enterprise. But the far-reaching genius of Smith saw in the fertile soil and mild climate of Virginia the provision by Providence for a great people, and he set himself resolutely to the work of bringing into subjection the native tribes, and of making the Colony self-supporting. He rebuked the London Company for their threat to abandon the Colony, he defeated the efforts to abandon the settlement at the risk of his life, he forced the men to labor, and he taught them how to hold the Indians in subjection and to get from them needed provisions. In a word, he demonstrated the practicability of the enterprise. Years afterward, and when, through his exertions in a great measure, Virginia had been successfully planted, he pictured the miseries through which they had passed who planted it, and his entire devotion of himself to its interests, in these words: 'By that acquaintance I have with them, I call them my children, for they have been my wife, my hawks, hounds, my cards, my dice, and in totall my best content, as indifferent to my heart as my left hand to my right; and notwithstanding all those miracles of disasters have crossed both them and me, yet were there not an Englishman

remaining, as God be thanked, notwithstanding the massacre, there are some thousands, I would yet begin againe with as small meanes as I did at first.' As his companions freely accorded to him the honor of being the real founder of Virginia, now that his work has developed into such a power for the advancement of mankind, the world should freely accord him the great honor which is his due."—*William Wirt Henry*.

"The site is a very handsome one. The river is three miles broad; and on the opposite shore the country presents a fine range of bold and beautiful hills. Where is the busy, bustling crowd which landed here two hundred years ago? Where is Smith, that pink of gallantry, that flower of chivalry? I fancy that I can see their first slow and cautious approach to the shore; their keen and vigilant eyes piercing the forest in every direction, to detect the lurking Indian, with his tomahawk, bow and arrow. Good Heavens! what an enterprise! how full of the most fearful perils! and yet, how entirely profitless to the daring men who personally undertook and achieved it! Through what a series of the most spirit-chilling hardships had they to toil! how often did they cast their eyes to England in vain! and with what delusive hopes, day after day, did the little famished crew strain their sight to catch the white sail of comfort and relief! But day after day the sun set and darkness covered the earth, but no sail of comfort or relief came. How often in the pangs of hunger, sickness, solitude, and disconsolation did they think of London, her shops, her markets, groaning under the weight of plenty; her streets swarming with gilded coaches, bustling hacks, with crowds of lords, dukes, and commons; with healthy, busy, contented faces of every description; and among them none more healthy or more contented than those of their ungrateful and improvident directors!"—*William Wirt, on Jamestown*.

"Thus on the arrival of Captain Smith, the first founder of the Colony of Virginia," etc.—*Thomas Jefferson, Notes on the State of Virginia*.

"Parson Weems," of Virginia (who wrote a "Life of Washington," which, according to the distinguished Virginia historian, John Esten Cooke, has "gone through more editions and been read by more people than the Lives of Marshall, Ramsay, Bancroft, and Irving put together"), says: ——"the souls of Columbus, Raleigh, and Smith looking down from heaven with joy beheld the consummation of all their labors and wishes."

The beautiful story of the devotion of the Indian princess, Pocahontas, to the English Colony, deserves here more than a passing mention. She was really the guardian angel of

those sad emigrants over whose destiny she often presided. Her rescue of Captain John Smith from a cruel death has been perpetuated by the historian, the poet, the painter, and the sculptor, and the thrilling picture of the Indian girl rushing between the victim and his fate, appealing to her imperial father to spare the fatal blow, will ever remain a part of the early history of this country. Pure and simple-hearted she often forgot her own danger in her desire to inform the colonists of impending trouble. She forsook the wild rites of her savage tribe, embraced the Christian religion and was baptized and received into the Church under the name of Rebecca. She was united in holy matrimony with one of the colonists, Mr. John Rolfe, a man of high character and of great usefulness in the plantation. It is worthy of note that he was the originator of the culture of Virginia's great staple, tobacco, and one of the most active in developing the various resources of the country. The marriage of Pocahontas with Rolfe brought peace with the Indians. Sir Thomas Dale, who was acting as Governor, carried her with her husband and child to England in 1616, where she was handsomely entertained by the London Company and others, the Queen and the Court paying her marked attention. As she was about to return to Virginia, "The Lady Rebecca," as she was called in London, died on shipboard at Gravesend, after a brief illness, March 21, 1617. She left one son, Thomas Rolfe, who was educated in England and became afterwards a person of note in Virginia. He was the founder of a distinguished family of whom the celebrated John Randolph was a descendant.

"But as I traversed the ground over which Pocahontas had so often bounded and frolicked in the sprightly morning of her youth, I could not help recalling the principal features of her history, and heaving a sigh of mingled pity and veneration to her memory!

"Unfortunate princess! She deserved a happier fate! But I am consoled \* \* \* \* that she sees her descendants among the most respectable families in Virginia; and that they are not only superior to the false shame of disowning her as their ancestor, but that they pride themselves, and with reason, too, on the honor of their descent."—*William Wirt, in "The British Spy."*

## VIII.

### CAPTAIN GEORGE PERCY.

*President of the Council in Virginia.*

August, 1609; to May, 1610.

PRESIDENT JOHN SMITH, enfeebled by an accident to his person from an explosion of powder, and requiring medical aid only to be obtained in England, returned thither towards the close of the year 1609, leaving three ships, seven boats, upwards of four hundred and ninety persons, twenty-four pieces of ordnance, three hundred muskets, with other arms and ammunition, one hundred well-trained and expert soldiers, a competent supply of working tools, live stock, and ten weeks' provisions. Jamestown was strongly palisaded, and contained about sixty houses. Smith, for more than a year, had maintained his authority, and when forced to embark for England he delegated his office to Percy. But the colonists, no longer controlled by an acknowledged authority, abandoned themselves to improvident idleness.

Nothing could have been more inauspicious for the Colony of Virginia than the departure of Captain Smith. The provisions having been wasted after he left, a dreadful famine ensued, and prevailed to such extremity that this period was ever afterwards distinguished by the name of "*the starving time.*" Of nearly five hundred persons left in the Colony by the late President, sixty only remained at the expiration of six months.

Captain George Percy passed through a trying experience. On the arrival of Sir Thomas Gates, May, 1610, the colonists insisted upon sailing for Newfoundland and burning behind them the town in which they had been so wretched. Gates prevented this, but they started on their sad return, and "none dropped a tear, for none had enjoyed one day of happi-



ness." On the 8th of June, 1610, they fell down the stream with the tide, but next morning they met Lord De la Warr, with emigrants and supplies, and he turned the faces of the fugitives once more towards the deserted Jamestown. It was on the 10th of June that the restoration of the Colony began.

Under the second charter granted the London Company for Virginia, May 23, 1609, it was empowered to choose the Supreme Council in England, and under its instructions and regulations a Governor was provided, invested with absolute civil and military authority, with the title of "Governor and Captain-General of Virginia." The resident council was still retained. Thomas West, Lord De la Warr, was appointed First Governor and Captain-General for life, May 23, 1609, but as he did not reach the Colony until June 10, 1610, Sir Thomas Gates was authorized to administer the affairs of the colony until the arrival of Lord De la Warr. When, therefore, Sir Thomas Gates arrived in Virginia, May 24, 1610, he superseded Captain George Percy, whose term of office had been such an eventful one.

George Percy, eighth son of Henry, eighth Earl of Northumberland, was born September 4, 1580; served for a time in the Low Countries; sailed for Virginia in the first expedition, December, 1606; was President of the Colony during "the starving time," from August, 1609, to May, 1610, and when Lord De la Warr returned to England in March, 1611, in recognition of Percy's former services, he was appointed Governor until the arrival of Dale in May following. Percy left Virginia, April, 1612, went again to the Low Countries, where he distinguished himself as a soldier, was captain of a company in 1627, and died unmarried in 1632. He wrote "*A Trewe Relacyon*," in defense of his administration in Virginia.

# IX.

## SIR THOMAS GATES.

*Lieutenant-General*

*and*

*Deputy-Governor.*

May, 1610, to June 10, 1610.

SIR THOMAS GATES was born at Colyford, in Colyton Parish, Devonshire. He was one of the first petitioners for royal license to colonize America, and was an incorporator of the first charter, April 10, 1606. When Lord De la Warr was created Governor and Captain-General for life, in May, 1609, Sir Thomas Gates, with Newport and Sir George Somers, was authorized to administer the affairs of the Colony until the coming of Lord De la Warr. He accordingly assumed command on his arrival in May, 1610, and prevented the burning of Jamestown by the desperate colonists. But having consulted with Sir George Somers, Captain Newport, and the Council of the former government, they determined to abandon the country. This was prevented by the providential appearing of Lord De la Warr, who at once, June 10, 1610, assumed the reins of government. Sir Thomas Gates left Virginia, July, 1610, but returned again in May, 1611. He remained nearly three years, and went back to England in April, 1614.

# X.

## LORD DE LA WARR.

*Governor*

*and*

*Captain-General.*

June 10, 1610, to March 28, 1611.

SIR THOMAS WEST, third Lord De la Warr, the first resident Governor-in-Chief of the Colony of Virginia, was born in 1579. He received this important appointment on account of his virtues as well as in consideration of his rank, for he was descended from a long line of noble ancestry. He assumed control of the Colony June 10, 1610. Having published his commission, which invested him with the sole command, he appointed a Council of six persons to assist him in the administration. An essential change now took place in the form of the ancient Virginia Constitution; the original aristocracy was converted into a rule of one, over whose deliberations the people had no control. Security returned to the Colony and prosperity appeared under the auspices of this intelligent and distinguished nobleman. But Lord De la Warr's health failing, he sailed March 28, 1611, for the island of Nevis, for the benefit of the warm baths, leaving his Colony in the charge of Captain George Percy. His health improving somewhat, he desired to return to Virginia, but was persuaded to go to England. The settlement at this time consisted of about two hundred men, but the Governor's departure produced great despondency. Fortunately, Sir Thomas Dale, "an experienced soldier," had been dispatched from London with supplies for the Colony. He arrived in the Chesapeake,

May, 1611, and assumed the government, which he soon afterwards administered upon the basis of martial law.

In this year, 1611, Samuel Argall, exploring the neighboring coast to the north, at nine o'clock in the morning of the 27th of July, cast anchor in a very great bay, with many affluents, and gave it the name of Delaware.

"A short relation made by the Lord De la Warre, to the Lords and others of the Counsell of Virginia, touching his unexpected return home, and afterwards delivered to the Generall Assembly of the said Company, at a court holden the twenty-five of June, 1611, published by authority of the said Counsell," says:

"In the next place, I am to give accompt in what estate I left the Collony for government in my absence. It may please your Lordships, therefore, to understand that upon my departure thence, I made choise of Captaine George Pearcie (a gentleman of honour and resolution, and of no small experience in that place), to remaine Deputie-Governor untill the coming of the Marshall, Sir Thomas Dale, whose commission was likewise to be determined upon the arrivall of Sir Thomas Gates, according to the intent and order of your Lordships and the Council here."

The following, from the same, is an interesting allusion to the noble Potomac:

"The last discovery, during my continuall sicknesse, was by Captaine Argall, who hath found a trade with Patomack (a king as great as Powhatan, who still remaines our enemye, though not able to doe us hurt). This is a goodly River, called Patomack, upon the borders whereof there are growne the goodliest Trees for Masts, that may be found else-where in the World; Hempe better then English, growing wilde in abundance; Mines of Antimonie and Leade. Without our Bay to the Northward is also found an excellent fishing Banke for Codde and Ling as good as can be eaten, and of a kinde that will keepe a whole yeare, in Shippe's hould, with little care, a tryall whereof I have now brought over with me," etc., etc.

During Lord De la Warr's stay in England at this time,

he was largely instrumental in procuring "A Third Charter of King James I. to the Treasurer and Company for Virginia."\*

This charter not only confirmed all their former privileges, and prolonged their term of exemption from payment of duties on the commodities exported by them, but granted them more extensive property and more ample jurisdiction. By this charter, all the islands lying within three hundred leagues of the coast were annexed to the Province of Virginia. Lord De la Warr set sail from England to return to Virginia in March, 1618, but unfortunately died (near the bay which bears his name) on the 7th of June following.

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\* (Dated March 12, 1611-12—Stith's Appendix, No. 3.)—See Henning's "*Statutes at Large*," *Virginia*, Vol. I., pp. 98-110.

## XI.

### CAPTAIN GEORGE PERCY.

#### *Deputy-Governor.*

March 28, 1611, to May 19, 1611.

CAPTAIN GEORGE PERCY was appointed by Lord De la Warr "to remain Deputie-Governor untill the comming of the Marshall, Sir Thomas Dale." This honor he assumed on March 28, 1611, and held until the arrival of Dale, May, 1611. Again a period of great depression occurred in the colony, but Dale, with his supplies and enthusiasm, stirred the embers of hope in the hearts of the desponding settlers. Percy left Virginia, April 22, 1612, and never returned.

## XII.

SIR THOMAS DALE.

*High Marshal*

*and*

*Acting Governor.*

May 19, 1611, to August, 1611.

THE London Company having sent Sir Thomas Dale with supplies for the relief of the Colony, he arrived in the Chesapeake duly in May, 1611, and assumed charge of the government. The code which he adopted, and which had been sent to Virginia by the Treasurer of the London Company, Sir Thomas Smith, was a severe one; but he sent letters to England which induced Gates to bring over six ships, with three hundred emigrants, and this was a happy move for the colonists, who rejoiced with joy unspeakable at the approach of this friendly fleet. Gates assumed command, and the Colony numbered seven hundred men. Dale now went up the river to found two new plantations, one of which was named in honor of Prince Henry. He carried with him the Rev. Alexander Whittaker and three hundred and fifty men. One of the new positions was called New Bermuda, or what is now known as Bermuda Hundred, and the other, five or six miles higher up on the James, on the opposite side of the river, was located on Farrar's Island. This last was called Henrico City. In each of these places a church was built, and Mr. Whittaker was placed in charge of them. These were the first establishments after James City. The elevation upon which Henrico City once stood, commands a most romantic view. *Four* beautiful rivers appear to lend their charms to the prospect, while in fact it is only

through the graceful windings of *one* that this illusion is produced.

Sir Thomas Dale's name is thus associated with some of the most interesting events in the early life of the Colony, particularly with the foundation of the churches above mentioned.



## XIII.

### SIR THOMAS GATES.

*Acting Governor.*

August, 1611, to March, 1613.

THE return of Gates to Virginia at this time with recruits and supplies, brought a revival of hope to the colonists, who from that hour began to advance in strength and happiness. The greatest change in their condition resulted from the incipient establishment of private property. To each man a few acres of ground were assigned for his orchard and garden, and henceforward the sanctity of private property was recognized. Agriculture enriched Virginia, and the stability of the Colony was no longer a matter of doubt. At this point we may exclaim with Michael Angelo, who inscribed at the base of one of his greatest works: "No man hath knowledge how much blood this cost!"

Through much tribulation, the settlement of America was assured, and on this remote frontier the Episcopal Church, coeval with the settlement of Jamestown, was established.

Sir Thomas Gates left Virginia in charge of Dale in March, 1613, and returned to England, where he employed himself in pressing forward the interests of the colonists.

## XIV.

### SIR THOMAS DALE.

*Acting Governor.*

March, 1613, to April, 1616.

WHEN Sir Thomas Gates returned to England, in March, 1613, he left the Colony in the keeping of Sir Thomas Dale. In April of this year John Rolfe married Pocahontas, the daughter of King Powhatan. This union brought peace with the Indians, and is mentioned with approbation by every historian of Virginia. The earliest land laws, though imperfect and unequal, gave now the cultivator the means of becoming a proprietor of the soil. These changes were made by Sir Thomas Dale, who has gained much commendation for his zeal and good judgment in such matters. He returned to England in 1616, and took with him Mr. Rolfe and his wife, Pocahontas.

Sir Thomas Dale died in India in 1620—"whose valor, having shined in the Westerne, was set in the Easterne India."

## XV.

### CAPTAIN GEORGE YEARDLEY.

*Deputy, or Lieutenant-Governor.*

April, 1616, to May, 1617.

SIR THOMAS DALE, having remained five years in America, now departed for his native country, and left George Yeardley, as Deputy-Governor, in charge of the administration. He indulged the people in the cultivation of tobacco in preference to corn, which he compelled the natives to furnish by way of tribute. An instance of Yeardley's method of "*raising*" corn is as follows :

Having sent to the Chickahominies for the tribute corn, and receiving an insolent answer, Governor Yeardley proceeded with one hundred men to their principal settlement, where he was met with contempt and scorn. Perceiving the Indians to be in a hostile and menacing posture, he ordered his men to fire on them, and twelve were killed on the spot. Twelve also were taken prisoners, two of whom were elders ; *but they paid one hundred bushels of corn for their ransom, and, as the price of peace, loaded three English boats with the coveted cereal !*

Yeardley's government was successful, but he was, through Sir Thomas Smith's influence, superseded by Captain Samuel Argall, who arrived in Virginia, May, 1617, and assumed control of affairs.

It is worthy of notice that in this year, 1616, died Richard Hakluyt, historian and geographer, a man whose enthusiasm and courage stimulated the American enterprise and influenced the early settlement of Virginia in a pre-eminent degree.

# XVI.

## CAPTAIN SAMUEL ARGALL.

*Deputy, or Lieutenant-Governor.*

May, 1617, to April, 1619.

SAMUEL ARGALL came to Virginia as early as 1609, to trade and to fish for sturgeon. This traffic was in violation of the laws, but as the wine and provisions which he brought were much in demand, his conduct was connived at, and he continued to make voyages for his own advantage and in the service of the Colony. In 1613 he arrived at the island of Mount Desert, off the coast of Maine, for the purpose of fishing, and finding a settlement of French, which was made two years before, he attacked it and took most of the settlers prisoners. A Jesuit priest was killed in the engagement. This was the commencement of hostilities between the French and English colonists in America. Captain Argall soon afterwards sailed from Virginia to Acadie, and destroyed the French settlements of St. Croix and Port Royal.

In 1614 he went to England, and returned in 1617, clothed with the authority of Lieutenant-Governor of the Colony of Virginia. Being now beyond the reach of immediate control, he incurred the displeasure of the people and the proprietors by his tyrannical course. He was arrogant and greedy of gain, and by his arbitrary rule he "imported more hazard to the plantation than ever did any other thing that befel that action from the beginning." Before an account of Argall's despotic sway had reached London, the authorities there had despatched Lord De la Warr, the Governor-General, to Virginia with two hundred men and supplies for the Colony. Orders followed to send Argall to England, where he was "to answer everything that should be laid to his charge."

But the good Lord De la Warr was doomed not to reach Virginia. He died on this voyage, and Argall was left to oppress the colonists and defraud the Company to his heart's content. The condition of Virginia became insupportable, for life itself was insecure against the passionate whims of this unscrupulous tyrant. The Colony languished, and no emigrants could be found for this unhappy settlement; but the news which checked the spirit of adventure also roused the indignation of some of the London Company. Argall was displaced, and the mild and popular Yeardley elected Governor in his stead, with higher rank. During Argall's term of office, martial law, which had been proclaimed and executed during the turbulence of former times, was, in a season of peace, made the common law of the land. By this law a gentleman was tried for contemptuous words that he had spoken of the Governor, was found guilty, and condemned; but his sentence was respited, and he appealed to the Treasurer and Council, who reversed the judgment of the court-martial. This is the first instance of an appeal carried from an American colony to England.

Argall's first exploit in Virginia had been the abduction of Pocahontas, in 1612, from the care of a chief who had been intrusted by Powhatan with the charge of his daughter, but who surrendered her for the bribe of a brass kettle. Taking her to Jamestown, Argall gave her into the keeping of the Governor and the church. When he left the Colony he continued to lead an adventurous life. On September 6, 1625, he sailed from Plymouth as Admiral of twenty-four English and four Dutch ships, and during the cruise took seven vessels, valued at £100,000; he is also said to have commanded the flag-ship during the attack on Cadiz. Beyond this, little is known of him, save that he was married and left children; was knighted by James I. in 1623, and died in 1639. His partnership in trade with the Earl of Warwick had protected him in his colonial difficulties.

It was during Argall's reign in the Colony that the old king, Powhatan, its former ruler, passed from the green woods and river shores of Virginia, to the happy hunting grounds

of the Indian belief. "He was a prince of eminent sense and abilities, and deeply versed in all the savage arts of government and policy. Penetrating, crafty, insidious, it was as difficult to deceive him as to elude his own stratagems. But he was cruel in his temper, and showed little regard to truth or integrity."

Argall's character has been variously interpreted, but he was without question a man of talents and of unrivaled industry in any pursuit into which either his greed or his ambition led him.

## XVII.

### CAPTAIN NATHANIEL POWELL.

*President of the Council in Virginia.*

April 9, 1619, to April 19, 1619.

SIR GEORGE YEARDLEY having been knighted by King James I., November 22, 1618, the vessels lay waiting in the Thames to bear him to Virginia, but before the new Governor could reach his destination, Argall had decamped, bearing his booty with him.

Captain John Smith says: "For to begin with the yeere of our Lord 1619, there arriued a little Pinnace priuately from England about Easter for Captaine Argall, who taking order for his affairs, within foure or fue daies returned in her and left for his Deputy, Captaine Nathaniell Powell. On the eighteenth of Aprill, which was but ten or twelue daies after, arriued Sir George Yeardley," etc., etc.

Captain Powell was one of the first Virginia planters. He came over in April, 1607, and took an active part for several years in colonial affairs, contributing a good deal by his personal efforts and his pen to the benefit of the Plantation. Unhappily, he and his wife were killed by the Indians, March 22, 1622. Eleven others were also slain in this massacre at "Powle Brooke."

# XVIII.

## SIR GEORGE YEARDLEY.

*Governor*  
*and*  
*Captain-General.*

April 19, 1619, to November 8, 1621.

ON the 19th of April, 1619, Sir George Yeardley entered upon the duties of his appointed office. The Colony was "in a poore estate" at this time, but from the moment of Yeardley's accession to power, the *real* life of Virginia began. Bringing with him "commissions and instructions from the Company for the better establishing of a Commonwealth," he declared "that those cruell lawes, by which the ancient planters had soe longe been governed, were now abrogated, and that they were to be governed by those free lawes, which his Majestie's subjectes lived under in Englande."

"That the planters might have a hande in the governing of themselves, yt was graunted that a Generall Assemblie shoulde be helde yearly once, whereat were to be present the Govenor and Counsell, with two burgesses from each plantation, freely to be elected by the inhabitantes thereof, this assemblie to have power to make and ordaine whatsoever lawes and orders should by them be thought good and profitable for their subsistence." In conformity with these instructions, Sir George Yeardley "sente his summons all over the country, as well to invite those of the Counsell of Estate that were absente, as also for the election of the burgesses," and on Friday, the 30th day of July, 1619, the first elective legislative body of this continent assembled at James City. As "a perpetual interest attaches to the first elective body representing the people of Virginia, more than a year before the



*Mayflower*, with the Pilgrims, left the harbor of Southampton," its record is given here in full, from Senate Document (Extra), Colonial Records of Virginia :

## COLONIAL RECORDS OF VIRGINIA.

## STATE PAPERS.

COLONIAL. VOL. I.—No. 45.

[July 30, 1619.]\*

A REPORTE of the manner of proceeding† in the General assembly convened at James citty in Virginia, July 30, 1619, consisting of the Governo<sup>r</sup>, the Counsell of Estate‡ and two Burgesses elected out of eache Incorporation and Plantation, and being dissolved the 4<sup>th</sup> of August next ensuing.

First. Sir George Yeardley, Knight Governo<sup>r</sup> & Captaine general of Virginia, having sente his fumons all over the Country, as well to invite those of the Counfell of Estate that were absente as also for the election of Burgeses, there were chosen and appeared

*For James citty*

Captaine William Powell,  
Ensigne William Spense.

*For Charles citty*

Samuel Sharpe,  
Samuel Jordan.

*For the citty of Henricus*

Thomas Dowse,  
John Polentine.

*For Kiccowtan*

Captaine William Tucker,  
William Capp.

*For Martin Brandon—Capt. John Martin's Pla'tation*

M<sup>r</sup> Thomas Davis,  
M<sup>r</sup> Robert Stacy.

\*The caption is after the De Jarnette copy. Bancroft has "S. P. O." (State Paper Office.) "Am'a & W. Ind. Virg.: Indorsed, Mr. Povy out of Virginia. The Proceedings of the First Assembly of Virginia: July 1619." Sainsbury's Calendar of State papers: Colonial, 1574-1660, has, "Endorsed by Mr. Carleton. Mr. Pory out of Virginia."—p. 22.

†Proceedings. Bancroft.

‡State. McDonald.

*For Smythe's hundred*

Captain Thomas Graves,  
M<sup>r</sup> Walter Shelley.

*For Martin's hundred*

M<sup>r</sup> John Boys,<sup>1</sup>  
John Jackson.

*For Argall's guiffe<sup>2</sup>*

M<sup>r</sup> Pawlett,  
M<sup>r</sup> Gourgaing.<sup>3</sup>

*For Flowerdieu hundred*

Ensigne<sup>4</sup> Roffingham,  
M<sup>r</sup> Jefferson.

*For Captain Lawne's plantation*

Captain Christopher Lawne,  
Ensigne<sup>4</sup> Washer.

*For Captaine Warde's plantation*

Captaine Warde,  
Lieutenant Gibbes.

The moſt convenient place we could finde to ſitt in was the Quire of the Church Where Sir George Yeardley, the Governour, being ſett downe in his accuſtomed place, thoſe of the Counſel of Eſtate ſate nexte him on both handes, excepte onely the Secretary then appointed Speaker, who ſate right before him, John Twine, clerke<sup>5</sup> of the Generall aſſembly, being placed nexte the Speaker, and Thomas Pierſe, the Sergeant, ſtanding at the barre, to be ready for any ſervice the Aſſembly ſhoulde comaund<sup>6</sup> him. But forasmuche as men's affaires doe little proſper where God's ſervice is neglected, all the Burgeſſes tooke their places in the Quire till a prayer was ſaid by Mr. Bucke, the Miniſter, that it would pleaſe God to guide and ſanctifie all our proceedings<sup>7</sup> to his owne glory and the good of this Plantation. Prayer being ended, to the intente that as we<sup>8</sup> had begun at God Almighty, ſo we<sup>8</sup> might proceed w<sup>th</sup> awful and due reſpecte towards the Lieutenant, our moſt gracious and dread Sovereigne, all the Burgeſſes were intreated to retyre themſelves into the body of the Church, w<sup>ch</sup> being done, before they were fully admitted, they were called in order and by name, and ſo every man (none ſtaggering at it) took the oathe of Supremacy, and then entred<sup>9</sup> the Aſſembly. At Captaine Warde the Speaker tooke exception, as at one that without any Comiſſion or authority had ſeatted himſelfe either upon the Companies, and then his Plantation would not be lawfull, or on Captain Martin's lande, and ſo<sup>10</sup> he was but a limbe or member of him, and there could be but two Burgeſſes for all. So Captaine Warde was comaunded to abſente

<sup>1</sup> Boyes, McDonald. <sup>2</sup> Guiffe, Bancroft. <sup>3</sup> Gourgaing, McDonald and Bancroft. <sup>4</sup> Ensign, Bancroft. <sup>5</sup> Clerk, McDonald. <sup>6</sup> Command, McDonald. <sup>7</sup> Proceedings, Bancroft. <sup>8</sup> wee, McDonald. <sup>9</sup> entered, McDonald. <sup>10</sup> soe, McDonald.

himselfe till such time as the Assembly had agreed what was fitt for him to doe. After much debate, they resolved on this order following:

An order concluded by the General assembly  
concerning Captaine Warde, July 30<sup>th</sup>,  
1619, at the opening of the said Assembly.

At the reading of the names of the Burgeses, Exception was taken against Captaine Warde as having planted here in Virginia without any authority or comission from the Tresurer, Counsell and Company in Englande. But considering he had bene at so great chardge and paines to augmente this Colony, and had adventured his own person in the action, and since that time had brought home a good<sup>12</sup> quantity of fishe, to relieve the Colony by way of trade, and above all, because the Comission for authorising the General Assembly admitteth of two Burgeses out of every plantation w<sup>th</sup>out restraunte or exception. Upon all these considerations, the Assembly was contented to admitt of him and his Lieutenant (as members of their body and Burgeses) into their society. Provided, that the said Captaine Warde, w<sup>th</sup> all expedition, that is to faye between this and the nexte general assembly (all lawful impediments excepted) should procure from the Tresurer,<sup>13</sup> Counsell and Company in England a comission lawfully to establish<sup>14</sup> and plant himselfe and his Company as the Chieffs<sup>15</sup> of other Plantations have done. And in case he doe neglect this he is to stande to the censure of the next general assembly. To this Captaine Warde, in the prefence of us all, having given his consente and undertaken to perform the same, was, together w<sup>th</sup> his Lieutenant, by voices of the whole Assembly first admitted to take the oath of Supremacy, and then to make up their number and to fitt amongst them.

This being done, the Governour himselfe alledged that before we proceeded any further it behooved us to examine whither it were fitt, that Captaine Martin's Burgeses shoulde<sup>16</sup> have any place in the Assembly, forasmuch as he hath a claufe in his Patente w<sup>th</sup> doth not onely exempte him from that equality and uniformity of lawes and orders w<sup>er</sup><sup>17</sup> the great charter faith are to extende<sup>18</sup> over the whole Colony, but also from diverse such lawes as we must be enforced<sup>19</sup> to make in the General Assembly. That claufe is as followeth: Item. That it shall and may be lawfull to and for the said Captain John Martin, his heyers, executors and assignes to governe and comaunde all suche<sup>20</sup> person or persons as at this time he shall carry over with him, or that shalbe<sup>21</sup> sente him hereafter, free from any comaunde of the Colony, excepte it be in ayding and assisting the same against<sup>22</sup> any forren or domestical enemy.

<sup>11</sup> 30, Bancroft. <sup>12</sup> goode, McDonald. <sup>13</sup> Treasurer, McDonald. <sup>14</sup> establishe, McDonald, Bancroft. <sup>15</sup> Chiefes, McDonald. <sup>16</sup> should, Bancroft. <sup>17</sup> W<sup>ch</sup>, McDonald and Bancroft. <sup>18</sup> extend, Bancroft. <sup>19</sup> enforced, McDonald. <sup>20</sup> such, McDonald. <sup>21</sup> shall be, McDonald. <sup>22</sup> ag<sup>st</sup>, McDonald.

Upon the<sup>23</sup> motion of the Governour, discussed the same time in the assembly, ensued this order following:

An order of the General Assembly touching  
a clause in Captain<sup>24</sup> Martin's Patent at  
James City, July 30, 1619.

After all the Burgeses had taken the oath of Supremacy and were admitted into the house, and all sett downe in their places, a Copie of Captain<sup>24</sup> Martin's Patent<sup>25</sup> was produced by the Govern<sup>or</sup><sup>26</sup> out of a Clause whereof it appeared that when the general<sup>27</sup> assembly had made some kinde of lawes requisite for the whole Colony, he and his Burgeses and people might deride the whole company and chuse whether they would obey<sup>28</sup> the same or no.\* It was therefore ordered in Courte that the fore-faid two Burgeses should w<sup>th</sup>drawe themselves out of the assembly till fuche time as Captaine Martin had made his personall appearance before them. At what time, if upon their motion, if he would be contente to quitte and give over that parte of his Patente, and contrary therunto woulde submitte himfelfe to the general forme of governemente as all others did, that then his Burgeses should be readmitted, otherwife they were utterly to be excluded as being spies rather than<sup>34</sup> loyal Burgeses, because they had offered themselves to be assistant at the making of<sup>35</sup> lawes w<sup>ch</sup> both themselves and those whom they represented might chuse whether they would obey<sup>36</sup> or not.

Then came there in a complainte against Captain<sup>37</sup> Martin, that having sente his Shallop to trade for corne into the baye, under the commaunde of one Ensigne Harrifon, the faide Ensigne should affirme to one Thomas Davis, of Paspaheighe,<sup>38</sup> Gent. (as the said Thomas Davis deposed upon oathe,) that they had made a harde voiage, had they not mett w<sup>th</sup> a Canoa coming out of a creeke where their shallop could not goe. For the Indians refusing to sell their Corne, those of the shallop entered the Canoa w<sup>th</sup> their armes and tooke it by force, measuring out the corne w<sup>th</sup> a baikett they had into the Shallop and (as the said Ensigne Harrifon faith) giving them satisfaction in copper beades<sup>39</sup> and other trucking stufte.

Hitherto Mr. Davys upon his oath.

Furthermore it was signified from Opoehancano to the Governour that those people had complained to him to procure them justice.<sup>40</sup> For w<sup>ch</sup> considerations and because fuche<sup>41</sup> outrages as this might breede dan-

\* The following passage is a side note on the margin of the McDonald and De Jarnette copies, but Bancroft includes it in the text:—The authority of Captaine<sup>29</sup> Martin's Patent graunted by the Counsell & Company under their Comon<sup>30</sup> Seale, being of an higher condition<sup>31</sup> and of greater<sup>32</sup> force then any Acte of the General<sup>33</sup> Assembly.

<sup>23</sup> this, McDonald and Bancroft. <sup>24</sup> Captaine, McDonald. <sup>25</sup> Patente, McDonald and Bancroft. <sup>26</sup> Governour, McDonald and Bancroft. <sup>27</sup> General, McDonald and Bancroft. <sup>28</sup> obey, McDonald; obaye, Bancroft. <sup>29</sup> Capt., McDonald. <sup>30</sup> Common, McDonald. <sup>31</sup> comission, McDonald. <sup>32</sup> greater, McDonald. <sup>33</sup> General. <sup>34</sup> then, McDonald. <sup>35</sup> of the, McD. <sup>36</sup> obeye, McDonald; obaye, Bancroft. <sup>37</sup> Captaine, McDonald and Bancroft. <sup>38</sup> Paspaheighs, McDonald, Bancroft. <sup>39</sup> beades, McDonald. <sup>40</sup> iustice, McDonald. <sup>41</sup> such, McDonald.

ger and loſſ<sup>42</sup> of life to others of the Colony w<sup>ch</sup> ſhould have leave to trade in the baye hereafter, and for prevention of the like violences againſt the Indians in time to come, this order following was agreed on by the general aſſembly.

A ſecond order againſt Captain Martin, at James citty, July 30, 1619.

It was alſo ordered by the Aſſembly the ſame daye that in caſe Capitaine Martin and the ging of his ſhallop would<sup>43</sup> not thoroughly anſwere an accuſation of an outrage comitted againſt a certaine Canoa of Indians in the baye, that then it was thought reaſon (his Patent,<sup>44</sup> notw<sup>th</sup>ſtanding the authority whereof, he had in that caſe abuſed) he ſhoulde<sup>45</sup> from henceforth take leave of the Governour<sup>46</sup> as other men, and ſhould putt<sup>47</sup> in ſecurity, that his people ſhall comitte no ſuch<sup>48</sup> outrage any more.

Upon this a letter or warrant was drawn in the name of the whole aſſembly to ſumon Capitaine Martin to appeare before them in forme following:

By the Governo<sup>r</sup><sup>49</sup> and general aſſembly of Virginia.

Captaine Martine, we are to requeſt<sup>50</sup> you upon ſight hereof, with all convenient ſpeed to repaire hither to James citty to treatt and conferre w<sup>th</sup> us about ſome matters of eſpecial<sup>51</sup> importance, w<sup>ch</sup> concerns<sup>52</sup> both us and the whole Colony and yourſelf. And of this we praye you not to faile.

James citty, July 30, 1619.

To our very loving friend, Captain John Martin, Eſquire, Maſter of the ordinance.

Theſe obſtacles removed, the Speaker, who a long time had bene extreame ſickly, and therefore not able to paſſe through long harangues, delivered in briefe to the whole aſſembly the occaſions of their meeting. Which<sup>53</sup> done, he read unto them the comiſſion for eſtabliſhing the Counſell of Eſtate and the general<sup>54</sup> Aſſembly, wherein their duties were deſcribed to the life.

Having thus prepared them, he read over unto them the greate Charter, or comiſſion of priviledges, orders and lawes, ſent by Sir George Yeardley out of Englande.<sup>55</sup> Which<sup>56</sup> for the more eaſe of the Committees, having divided into fower books, he read the former two the ſame forenoon for expeditious<sup>57</sup> ſake, a ſecond time over, and ſo they were referred to the peruſall of twoe Comittees, w<sup>ch</sup> did reciprocally conſider of either, and accordingly brought in their opinions. But ſome man may

<sup>42</sup> loſſe, McDonald. <sup>43</sup> could, McDonald, Bancroft. <sup>44</sup> Patente, McDonald and Bancroft. <sup>45</sup> ſhould, Bancroft. <sup>46</sup> Governor, McDonald. <sup>47</sup> put, McDonald. <sup>48</sup> ſuche, McDonald and Bancroft. <sup>49</sup> Governour, Bancroft. <sup>50</sup> requeſt, McDowell. <sup>51</sup> eſpeciall, McDonald. <sup>52</sup> concerne, McDonald and Bancroft. <sup>53</sup> W<sup>ch</sup>, McDonald. <sup>54</sup> Gen<sup>l</sup>, McDonald. <sup>55</sup> The ſubſtance of theſe will be found in the paper, "A briefe Declaration," &c. See poſt. —. <sup>56</sup> W<sup>ch</sup>, McDonald. <sup>57</sup> expeditions, Bancroft.

here objecte to what ende we should prefume to referre that to the examination of Comitties w<sup>ch</sup> the Counsell and Company in England<sup>58</sup> had already resolved to be perfect, and did expecte nothing<sup>59</sup> but our assente thereunto?<sup>60</sup> To this we anfwere, that we did it not to the ende to correcte or controll anything therein contained, but onely in case we should finde ought not perfectly squaring w<sup>th</sup> the state of this Colony or any lawe w<sup>ch</sup> did presse or binde too harde, that we might by waye of humble petition, seeke to have it redressed, especially because this great Charter is to binde us and our heyers for ever.

The names of the Comitties for perusing the  
first booke of the fower :

- |                            |                       |
|----------------------------|-----------------------|
| 1. Captain William Powell, | 2. Ensigne Rofingham, |
| 3. Captaine Warde,         | 4. Captaine Tucker,   |
| 5. Mr. Shelley,            | 6. Thomas Doufe,      |
| 7. Samuel Jordan,          | 8. Mr. Boys.          |

The names of the Comitties for perusing the  
second booke :

- |                     |                     |
|---------------------|---------------------|
| 1. Captaine Dawne,* | 2. Captaine Graves, |
| 3. Ensigne Spense,  | 4. Samuel Sharpe,   |
| 5. William Cap,     | 6. Mr. Pawlett,     |
| 7. Mr. Jefferson,   | 8. Mr. Jackson.     |

These Comitties thus appointed, we brake up the first forenoon's assembly.

After dinner the Governo<sup>r</sup> and those that were not of the Comitties<sup>61</sup> fate a seconde time, while the said Comitties<sup>61</sup> were employed in the perusall of those twoe bookes. And whereas the Speaker had propounded fower severall objects for the Assembly to consider on : namely, first, the great charter of orders, lawes and priviledges; Secondly, which of the instructions given by the Counsell in England to my lo : la : warre,<sup>62</sup> Captain Argall or Sir George Yeardley, might conveniently putt on the habite of lawes; Thirdly, what lawes might issue out of the private conceipte of any of the Burgeses, or any other of the Colony; and lastly, what petitions were<sup>63</sup> fitt to be sente home for England. It pleased the Governou<sup>r</sup><sup>64</sup> for expedition<sup>65</sup> sake to have the second objecte<sup>66</sup> of the fower to be examined & prepared by himselfe and the Non-Comitties. Wherin after having spent some three howers<sup>67</sup> conference, the twoe Committees<sup>68</sup> brought in their opinions concerning the twoe former bookes, (the second of which beginneth at these wordes of the Charter : And forasmuche

<sup>58</sup> England, McDonald. <sup>59</sup> nothinge, McDonald. <sup>60</sup> thereunto, McDonald and Bancroft. <sup>61</sup> Committees, McDonald. <sup>62</sup> Lord le Warre, McDonald. <sup>63</sup> we, McDonald. <sup>64</sup> Governor, McDonald. <sup>65</sup> expeditions, McDonald, also Bancroft. <sup>66</sup> objecte, McDonald. <sup>67</sup> houres, McDonald. <sup>68</sup> two Committees, McDonald.

\* Lawne, McDonald, and Bancroft the list of Burgeses on p. 10, showing this to be proper.

as our intente is to establish one equall and uniforme kinde of government over all Virginia &c.,)<sup>69</sup> w<sup>ch</sup> the whole Assembly, because it was late, deferred to treatt<sup>70</sup> of till the next morning.

SATURDAY, July 31.

The nexte daye, therefore, out of the opinions of the said Comitties,<sup>71</sup> it was agreed, these<sup>72</sup> Petitions ensuing should be framed, to be presented to the Treafurer, Counsell & Company in England. Upon the Comitties<sup>73</sup> perusall of the first booke,<sup>74</sup> the General<sup>75</sup> Assembly doe become most humble fuitours to their lo<sup>ps</sup> and to the rest of that hon<sup>ble</sup> Counsell and renowned Company, that albeit they have bene pleased<sup>76</sup> to allotte unto the Governo<sup>r</sup><sup>77</sup> to themselves, together w<sup>th</sup> the Counsell of Estate here, and<sup>78</sup> to the officers of Incorporations, certain lande<sup>79</sup> portions of lande to be layde out w<sup>th</sup>in the limites of the same, yet that<sup>80</sup> they woulde vouchsafe also, <sup>81</sup>that<sup>82</sup> groundes as heretofore had bene granted by patent to the antient<sup>83</sup> Planters by former Governours that had from the Company received comission<sup>84</sup> so to doe, might not nowe after so muche labor and coste, and so many yeares habitation be taken from them. And to the ende that no man might doe or suffer any wrong in this kinde, that they woulde favour us so muche (if they meane to graunte this our petition) as to fend us notice, what comission or authority for graunting of landes they have given to each<sup>85</sup> particular Governour in times paste.

The second petition of the General assembly framed by the Comitties<sup>86</sup> out of the second book is. That the Treafurer<sup>87</sup> & Company in England would be pleased w<sup>th</sup> as muche convenient speed<sup>88</sup> as may be to fende men hither to occupie their landes belonging to the fower Incorporations, as well for their owne<sup>89</sup> behoofe and profit as for the maintenance of the Counsell<sup>90</sup> of Estate, who are nowe<sup>91</sup> to their extream hindrance often drawn far from their private busines and likewise that they will have a care to fende<sup>92</sup> tenants to the ministers of the fower Incorporations to manure their gleab, to the intente that the allowance they have allotted them of 200 G.<sup>93</sup> a yeare may the more easily be raised.

The thirde Petition humbly presented by this General Assembly to the Treafurer, Counsell & Company is, that it may plainly be exprest in the great Comission (as indeed it is not) that the antient Planters of both fortes, viz., fuche as before Sir Thomas Dales' depart<sup>94</sup> were come hither upon their owne chardges,<sup>95</sup> and fuche also as were brought hither upon

<sup>69</sup> The McDonald copy includes in ( ) all of this from "the second of which" to "Charter," and another single ) after &c. The De Jarnette copy has one ) only after &c. Bancroft includes what is adopted in this text. <sup>70</sup> McDonald has breath. <sup>71</sup> Comitties, McDonald. <sup>72</sup> those, McDonald. <sup>73</sup> Comitties, McDonald. <sup>74</sup> book, McDonald. <sup>75</sup> General, McDonald. <sup>76</sup> pleas'd, McDonald. <sup>77</sup> Govern<sup>r</sup>, McDonald; Gov<sup>r</sup>, Bancroft. <sup>78</sup> &, McDonald. <sup>79</sup> large, McDonald. <sup>80</sup> Bancroft omits "that." <sup>81</sup> alsoe, Bancroft. <sup>82</sup> McDonald has such and Bancroft suche after that. <sup>83</sup> ancient, McDonald. <sup>84</sup> Comiss<sup>n</sup>, Bancroft. <sup>85</sup> each, Bancroft. <sup>86</sup> Comittiss, McDonald. <sup>87</sup> Tresurer, McDonald. <sup>88</sup> speede, McDonald. <sup>89</sup> own, Bancroft. <sup>90</sup> Counsell, McDonald and Bancroft. <sup>91</sup> now, McDonald. <sup>92</sup> send, McDonald. <sup>93</sup> £200, Bancroft. <sup>94</sup> In the McDonald copy this was just written departure, then "ure" crossed out with a pen, and the word made department. Bancroft has departure. <sup>95</sup> Charges, McDonald.

the Companie's coste, may have their second, third and more divisions successively in as lardge and free manner as any other Planters. Also that they wilbe pleased to allowe to the male children, of them and of all others begotten in Virginia, being the only hope of a posterity, a single share a piece, and shares for their issues or<sup>96</sup> for themselves, because that in a newe plantation it is not knowen whether man or woman be the more necessary.

Their fourth Petition is to beseech the Treasurer, Counsell & Company that they would be pleased to appoint a Sub-Treasurer<sup>97</sup> here to collecte their rents,<sup>98</sup> to the ende that<sup>99</sup> the Inhabitants of this Colony be not tyed to an impossibility of paying the same yearly to the Treasurer in England, and that they would enioine the said Sub-Treasurer not precisely according to the letter of the Charter to exacte mony of us (whereof we have none at all, as we have no minte), but the true value of the rente in comodity.

The fift Petition is to beseeche the Treasurer, Counsell & Company that, towards the erecting of the Univerfity and Colledge, they will fende, when they shall thinke<sup>100</sup> it most convenient, workmen of all fortes, fitt for that purpose.

The sixte and laste is, they wilbe<sup>101</sup> pleased to change the savage name of Kiccowtan, and to give that Incorporation a newe name.

These are the general Petitions drawn by the Comitties out of the two former bookes w<sup>ch</sup> the whole general assembly in maner and forme above<sup>102</sup> sett downe do most humbly offer up and present<sup>103</sup> to the honourable construction of the Treasurer, Counsell and Company in England.

These petitions thus concluded on, those twoe Comitties brought me<sup>104</sup> a reporte what they had observed in the two latter bookes, w<sup>ch</sup> was nothing else but that the perfection of them was suche as that<sup>105</sup> they could finde nothing therein subject to exception, only the Governo<sup>rs</sup><sup>106</sup> particular opinion to my selfe in private hathe bene as touching a clause in the thirde booke, that in these doubtfull times between us and the Indians, it would beehoove<sup>107</sup> us not to make as<sup>108</sup> lardge distances between Plantation and Plantation as ten miles, but for our more strength ande security to drawe nearer together.

At the same time, there remaining no<sup>109</sup> farther scruple in the mindes of the Assembly touching the said great Charter of lawes, orders and priviledges, the Speaker putt the same to the question, and so it had both the general assent and the applause of the whole assembly, who, as they professed themselves in the first place most submissively thankfull to almighty god, therefore so they commaunded the Speaker to returne (as nowe he doth) their due and humble thanks to the Treasurer, Counsell and company for so many priviledges and favours as well in their owne names as in the names of the whole Colony whom they represented.

<sup>96</sup> McDonald and Bancroft both have "wives as," instead of "issues or," the former being evidently the proper words. <sup>97</sup> Treasurer, McDonald. <sup>98</sup> rentes, McDonald, Bancroft. <sup>99</sup> McDonald and Bancroft both omit that. <sup>100</sup> McDonald and Bancroft omit it. <sup>101</sup> will be, McDonald. <sup>102</sup> sette, Bancroft. <sup>103</sup> presente, McDonald and Bancroft. <sup>104</sup> In, McDonald, Bancroft. <sup>105</sup> McDonald and Bancroft omit that. <sup>106</sup> Govn<sup>rs</sup>, McDonald; Gov<sup>rs</sup>, Bancroft. <sup>107</sup> Behoove, McDonald, Bancroft. <sup>108</sup> So, McDonald, Bancroft. <sup>109</sup> Noe, McDonald.



This being difpatched we fell once more<sup>110</sup> debating of fuche instructions given by the Counfell in England to feveral<sup>111</sup> Governo<sup>rs</sup><sup>112</sup> as might be converted into lawes, the laft whereof was the Eftablifhment of the price of Tobacco, namely, of the beft at 3d<sup>113</sup> and the fecond at 18d the pounce. At the reading of this the Affembly thought good to fende for Mr. Abraham Perfey, the Cape marchant, to publifhe this instruction to him, and to demaunde<sup>114</sup> of him if he knewe of any impediment why it might not be admitted of? His anfwere<sup>115</sup> was that he had not as yet received any fuche order from the Adventurers of the<sup>116</sup> in England. And notw<sup>th</sup>standing he fawe the authority was good, yet was he unwilling to yield, till fuche time as the Governo<sup>r</sup><sup>117</sup> and Affembly had layd their commandment upon him, out of the authority of the forefaid Instructions as followeth :

By the General Affembly.

We will and require you, Mr. Abraham Perfey, Cape Marchant, from this daye forwarde to take notice, that, according to an article in the Instructions confirmed by the Treasurer, Counfell<sup>118</sup> and Company in Eng-lande at a general quarter courte, both by<sup>119</sup> voices and under their hands<sup>120</sup> and the Comon feall,<sup>121</sup> and given to Sir George Yeardley, knight, this prefent governour, Decemb.<sup>122</sup> 3, 1618, that you are bounde to accepte of the Tobacco of the Colony, either for commodities or upon billes,<sup>123</sup> at three fhillings the befte<sup>124</sup> and the fecond forte at 18d the pounce, and this fhallbe<sup>125</sup> your fufficient difchardge.

James citty out of the faid General Affembly, July 31,<sup>126</sup> 1619.

At the fame<sup>127</sup> the Instructions convertible into lawes were referred to the confideration of the above named Committies,<sup>128</sup> viz., the general Instructions to the firft Committie<sup>129</sup> and the particular Instructions to the fecond, to be returned by them into the affembly on Munday morning.

SUNDAY, Aug. 1.

Mr. Shelley, one of the Burgefles, deceased.

MUNDAY,<sup>130</sup> Aug. 2.

Captain John Martin (according to the fumons fent him on Friday,<sup>131</sup> July 30,) made his perfonall appearance at the barre, whenas the Speaker having firft read unto him the orders of the Affembly that concerned him, he pleaded lardgely for himfelf<sup>132</sup> to them both and indevoured<sup>133</sup> to aufwere fome other thinges<sup>134</sup> that were objected againft<sup>135</sup> his Patente. In finc,

<sup>110</sup> McDonald and Bancroft insert to. <sup>111</sup> Several, McDonald. <sup>112</sup> Governo<sup>rs</sup>, McDonald; Gov., Bancroft. <sup>113</sup> The text, which follows the De Jarnette copy, is evidently wrong. The McDonald copy is blotted and illegible. Bancroft has 3.s. and Sainsbury's abstract the same. <sup>114</sup> Demand, McDonald. <sup>115</sup> Answer, McDonald, Bancroft. <sup>116</sup> McDonald and Bancroft both fill the space with Magazin. <sup>117</sup> Gov<sup>r</sup>, McDonald, Bancroft. <sup>118</sup> Counsell, Treasurer, McDonald. <sup>119</sup> McD. inserts the. <sup>120</sup> handes, McD. <sup>121</sup> seale, McD., Bft. <sup>122</sup> Dec<sup>r</sup>, McDonald. <sup>123</sup> bills, McDonald. <sup>124</sup> beft, McDonald. <sup>125</sup> fhall be, McDonald. <sup>126</sup> 31st, Bancroft. <sup>127</sup> McDonald and Bancroft infert time. <sup>128</sup> Committees, McDonald. <sup>129</sup> Committee, McDonald. <sup>130</sup> Monday, McDonald and Bancroft. <sup>131</sup> Friday, McDonald. <sup>132</sup> himfelfe, McDonald and Bancroft. <sup>133</sup> & indeavoured, McDonald. <sup>134</sup> things, McDonald. <sup>135</sup> ag<sup>t</sup>, McDonald.

being demanded out of the former order whether he would quitte that claufe of his Patente<sup>136</sup> w<sup>ch</sup> (quite otherwife then Sir William Throckmorton's, Captain Christopher Dawnes'<sup>137</sup> and other men's patentes) exempteth himfelffe and his people from all fervices of the Colonie excepte onely in cafe of warre againft<sup>138</sup> a forren or domesticall enemie. His anfwere<sup>139</sup> was negative, that he would not infringe any parte<sup>140</sup> of his Patente. Whereupon it was refolved by the Affembly that his Burgefles fhould have no admittance.

To the fecond order his anfwere was affirmative, namely, that (his Patente<sup>141</sup> notwithstanding) whensoever he fhould fend into the baye to trade, he would<sup>142</sup> be contente to putt in fecurity to the Governour<sup>143</sup> for the good behaviour of his people towards<sup>144</sup> the Indians.

It was at the fame time further ordered by the Affembly that the Speaker, in their names, fhould (as he nowe doth<sup>145</sup>) humbly demaunde<sup>146</sup> of the Treafurer, Counsell<sup>147</sup> and Company an expofition of this one claufe in Captaine<sup>148</sup> Martin's Patente, namely, where it is faide That he is to enjoye<sup>149</sup> his landes in as lardge<sup>150</sup> and ample manner, to all intentes and<sup>151</sup> purpofes, as any lord of any manours in England dothe holde his grounde out of w<sup>ch</sup> some have collected that he might by the fame graunte protecte men from paying their debts and from diverfe other dangers of lawe. The leaft the Affembly can alledge againft this claufe is, that it is obfcure, and that it is a thing impoffible for us here to knowe the Prerogatives of all the manours in Englande. The Affembly therefore humbly befecche<sup>152</sup> their lopps<sup>153</sup> and the reft of that hon<sup>ble</sup> houfe<sup>154</sup> that in cafe they fhall finde any thing in this or in any other parte of his graunte whereby that claufe towards the conclufion of the great charter, (viz., that all grauntes afwell of the one sorte as of the other refpectively, be made w<sup>th</sup> equall favour, & graunts<sup>155</sup> of like liberties & imunities<sup>156</sup> as neer as may be, to the ende that all complaints<sup>157</sup> of partiality and indifferency<sup>158</sup> may be avoided,) might<sup>159</sup> in any forte be contradicted or the uniformity and equality<sup>160</sup> of lawes and<sup>161</sup> orders extending over the whole Colony might be impeached, That they would be pleafed to remove any fuch hindrance as may diverte out of the true courfe the free and<sup>162</sup> publique current of Juftice.

Upon the fame grounde and<sup>163</sup> reason their l<sup>ops</sup> together with the reft of the Counsell<sup>164</sup> and Company, are humbly befought<sup>165</sup> by this general<sup>166</sup> affembly that if in that other claufe w<sup>ch</sup> exempteth Captaine<sup>167</sup> Martin and his people from all fervices of the Colony &c., they fhall finde any refiftance againft<sup>168</sup> that equality and<sup>169</sup> uniformity of lawes and orders intended

<sup>136</sup> Patente, McDonald and Bancroft. <sup>137</sup> Lawnes, Bancroft, see p. 10. <sup>138</sup> ag<sup>st</sup>, McDonald. <sup>139</sup> anfwer, Bancroft. <sup>140</sup> part, McDonald and Bancroft. <sup>141</sup> patente, McDonald. <sup>142</sup> woulde, McDonald. <sup>143</sup> Gov<sup>r</sup>, Bancroft. <sup>144</sup> towards, Bancroft. <sup>145</sup> doe, McDonald. <sup>146</sup> demande, McDonald. <sup>147</sup> Council, McDonald. <sup>148</sup> Capt., Bancroft. <sup>149</sup> enjoy, McDonald and Bancroft. <sup>150</sup> large, McDonald, Bancroft. <sup>151</sup> &, McDonald. <sup>152</sup> befeccheth, McDonald and Bancroft. <sup>153</sup> Lopp, McDonald; Lopp, Bancroft. <sup>154</sup> bourde, McDonald and Bancroft. <sup>155</sup> grants, McDonald. <sup>156</sup> immunities, McDonald. <sup>157</sup> complaints, McDonald, Bancroft. <sup>158</sup> unindifferency, McDonald, Bancroft. <sup>159</sup> mighte, McDonald. <sup>160</sup> equality, McDonald. <sup>161</sup> &, McDonald. <sup>162</sup> &, McDonald and Bancroft. <sup>163</sup> &, McDonald. <sup>164</sup> Council, McDonald. <sup>165</sup> befoughte, McDonald. <sup>166</sup> the General, McDonald. <sup>167</sup> Captain, Bancroft. <sup>168</sup> ag<sup>st</sup>, McDonald. <sup>169</sup> &, McDonald.

nowe by them to be establiſhed over the whole Colony, that they would be pleaſed to reforme it.

In fine, wheras<sup>170</sup> Captaine<sup>171</sup> Martin, for thoſe ten ſhares allowed him for his perſonal<sup>172</sup> adventure and<sup>173</sup> for his adventure of £70 beſides, doth claim 500 acres a ſhare, that the Treafurer, Counſell and Company woulde vouchfafe to give notice to the Governour<sup>174</sup> here, what kinde<sup>175</sup> of ſhares they meante he ſhould have when they gave him his Patent.<sup>176</sup>

The premiſſes about Captaine Martin thus reſolved, the Committies<sup>177</sup> appointed to conſider what inſtructions are fitt to be converted into lawes, brought in their opinions, and<sup>178</sup> firſt of ſome of the general<sup>179</sup> inſtructions.

Here begin the lawes drawn out of the In-  
ſtructions given by his Mat<sup>ies</sup> Counſell  
of Virginia in England to my lo: la  
warre,<sup>180</sup> Captain Argall and Sir George  
Yeardley, knight.

By this preſent Generall Aſſembly be it enacted, that no<sup>181</sup> injury or oppreſſion be wrought by the Engliſhe<sup>182</sup> againſt<sup>183</sup> the Indians whereby the preſent peace might be diſturbed and antient quarrells might be revived. And farther<sup>184</sup> be it ordained, that the Chicohomini are not to be excepted out of this lawe; until either that ſuche<sup>185</sup> order come out of Englande, or that they doe provoke us by ſome newe injury.

Againſt Idlenes, Gaming, durunkenes & exceſſe in apparell the Aſſembly hath enacted as followeth:

First, in deteſtation of Idlenes<sup>186</sup> be it enacted, that if any men be founde to live as an idler or renagate, though a freedman, it ſhalbe<sup>187</sup> lawfull for that Incorporation or Plantation to w<sup>ch</sup> he belongeth to appoint him a M<sup>r</sup> to ſerve for wages, till he ſhewe apparant ſignes of amendment.

Againſt gaming at dice<sup>188</sup> & Cardes be it ordained by this preſent aſſembly that the winner or winners ſhall loſe all his or their winnings and<sup>189</sup> both winners and looſers ſhall forfeite<sup>190</sup> ten ſhillings a man, one ten ſhillings whereof to go to the diſcoverer, and the reſt to charitable & pious uſes in the Incorporation where the faulte<sup>191</sup> is comitted.

Againſt drunkenneſs be it alſo decreed that if any private perſon be found culpable thereof, for the firſt time he is to be reprooved privately by the Miniſter, the ſecond time publiquely, the thirde time to lye in boltes 12 howers in the houſe of the Provost Marſhall & to paye his fee,<sup>192</sup> and if he ſtill continue in that vice, to undergo ſuche ſevere puniſhment as the Governour<sup>193</sup> and Counſell of Eſtate ſhall thinke fitt to be inflicted on him. But

<sup>170</sup> wheras, McDonald. <sup>171</sup> Captaine, McDonald; Capt., Bancroft. <sup>172</sup> perſonal, McDonald. <sup>173</sup> &, McDonald. <sup>174</sup> Governr, McDonald. <sup>175</sup> kind, McDonald. <sup>176</sup> Patente, McDonald. <sup>177</sup> Committee, McDonald. <sup>178</sup> &, McDonald. <sup>179</sup> generall, McDonald. <sup>180</sup> Lo. La Warre, McDonald and Bancroft. <sup>181</sup> Noe, McDonald. <sup>182</sup> Engliſhe, Bancroft. <sup>183</sup> ag<sup>st</sup>, McDonald. <sup>184</sup> further, McDonald. <sup>185</sup> ſuch, McDonald. <sup>186</sup> Idlers, McDonald. <sup>187</sup> ſhall be, McDonald. <sup>188</sup> and, Bancroft. <sup>189</sup> As the McDonald copy has & in every inſtance where the other two have and, the reader will bear this in mind and it will not be again repeated. <sup>190</sup> forfeite, McDonald. <sup>191</sup> faults are, McDonald. <sup>192</sup> fees, McDonald. <sup>193</sup> Governr, McDonald; Governr, Bancroft.

if any officer offende in this crime, the first time he shall receive a reproof from the Governour, the second time he shall openly be reproofed in the church by the minister, and the third time he shall first be committed and then degraded. Provided it be understood that the Govern<sup>r</sup><sup>194</sup> hath alwayes<sup>195</sup> power to restore him when he shall, in his discretion thinke fite.

Against excesse in<sup>196</sup> apparell that every man be cessed in the church for all publique contributions, if he be unmarried according to his owne apparell, if he be married, according to his owne and his wives, or eithre of their apparell.

As touching the instruction<sup>197</sup> of drawing some of the better disposed of the Indians to converse w<sup>th</sup> our people & to live and labour amongst<sup>198</sup> them, the Assembly who knowe<sup>199</sup> well their dispositions thinke it fite to enjoin<sup>e</sup>,<sup>200</sup> least to counsell those of the Colony, neither utterly to rejecte them nor yet to drawe them to come in. But in case they will of themselves come voluntarily to places well peopled, there to doe service in killing of Deere, fishing, beating of Corne and other workes, that then five or six may be admitted into every such place, and no more, and that w<sup>th</sup> the consente<sup>201</sup> of the Governour. Provided that good<sup>202</sup> garde<sup>203</sup> in the night be kept upon them, for generally (though some amongst many may proove<sup>204</sup> good) they are a most trecherous people and quickly gone when they have done a villany. And it were fitt<sup>205</sup> a housew<sup>e</sup> built for them to lodge in aparte<sup>206</sup> by themselves, and lone inhabitants by no meanes<sup>207</sup> to entertaine them.

Be it enacted by this present assembly that for laying a surer foundation of the conversion of the Indians to Christian Religion, each town, city, Burrough, and particular plantation do obtaine unto themselves by just means a certaine number of the natives' children to be educated by them in true religion and civile course of life—of w<sup>ch</sup> children the most towardly boyes in witt & graces of nature to be brought up by them in the first elements of literature, so<sup>208</sup> to be fitted for the Colledge intended for them that from thence they may be sente<sup>209</sup> to that worke of conversion.

As touching the busines of planting corne this present Assembly doth ordaine that yeare by yeare all & every householder and householders have in store for every servant he or they shall keep, and also for his or their owne persons, whether they have any Servants or no, one spare barrell of corne, to be delivered out yearly, either upon sale or exchange as need shall require. For the neglecte<sup>210</sup> of w<sup>ch</sup> duty he shalbe<sup>211</sup> subiecte to the censure of the Govern<sup>r</sup><sup>212</sup> and Counsell of Estate. Provided alwayes that the first yeare of every newe man this lawe shall not be of<sup>213</sup> force.

About the plantation of Mulberry trees, be it enacted that every man as he is seatt<sup>214</sup> upon his division, doe for seven yeares together, every yeare

<sup>194</sup> Govern<sup>r</sup>, McDonald; Govern<sup>r</sup>, Bancroft. <sup>195</sup> alwayes, McDonald; always, Bancroft. <sup>196</sup> of, McDonald. <sup>197</sup> instructions, McDonald and Bancroft. <sup>198</sup> among, McDonald. <sup>199</sup> know, McDonald. <sup>200</sup> at inferted by Bancroft. <sup>201</sup> with consente, McDonald. <sup>202</sup> goode, Bancroft. <sup>203</sup> guard, McDonald. <sup>204</sup> prove, McDonald. <sup>205</sup> fite, Bancroft. <sup>206</sup> apart, McDonald. <sup>207</sup> means, Bancroft. <sup>208</sup> as, inferted by Bancroft. <sup>209</sup> sent, McDonald. <sup>210</sup> neglect, McDonald. <sup>211</sup> shall be, McDonald. <sup>212</sup> Governour, McDonald and Bancroft. <sup>213</sup> in, McDonald. <sup>214</sup> seated, McDonald.

plante and maintaine in growte<sup>215</sup> fix<sup>216</sup> Mulberry trees at the leaft,<sup>217</sup> and as many more as he shall thinke conveniente and as his virtue<sup>218</sup> & Industry shall move him to plante, and that all suche persons as shall neglecte the yearly planting and maintaining of that small proportion shalbe<sup>219</sup> subjecte to the cenfure of the Governour & the Counsell of Estate.

Be it farther<sup>220</sup> enacted as concerning Silke-flaxe, that those men that are upon their divison or fetled<sup>221</sup> habitation doe this next<sup>222</sup> yeare plante & dresse 100 plantes, w<sup>ch</sup> being founde a comedity,<sup>223</sup> may farther be increafed. And whosoever do faill in the performance of this shalbe<sup>224</sup> subject to this punishment of the Governour<sup>225</sup> & Counsell of Estate.

For hempe also both Englishe & Indian, and for Englishe<sup>226</sup> flax & Annifeeds, we do<sup>227</sup> require and enjoin all householders of this Colony that have any of those seeds<sup>228</sup> to make tryal thereofe the nexte season.

Moreover be it enacted by this present Assembly, that every householder doe yearly plante and maintaine ten vines untill they have attained to the art and experience of dressing a Vineyard either by their owne industry or by the Instruction of some Vigneron. And that upon what penalty soever the Governour<sup>229</sup> and Counsell of Estate shall thinke fitt to impose upon the neglecters of this acte.

Be it also enacted that all necessary tradesmen, or so<sup>230</sup> many as need shall require, suche<sup>231</sup> as are come over since the departure of Sir Thomas Dale, or that shall hereafter come, shall worke at their trades for any other man, each<sup>232</sup> one being payde according to the quality<sup>233</sup> of his trade and worke, to be estimated, if he shall not be contented, by the Governour and officers of the place where he worketh.

Be it further ordained by this General Assembly, and we doe by these presents enacte, that all contractes<sup>234</sup> made in England between the owners of lande and their Tenants and Servantes w<sup>ch</sup> they shall fende<sup>235</sup> hither, may be caused to be duely<sup>236</sup> performed, and that the offenders be punished as the Governour<sup>237</sup> and Counsell of Estate shall thinke just and convenient.

Be it established also by this present Assembly that no crafty or advantageous means be suffered to be putt in practise for the inticing awaye the Tenants or<sup>238</sup> Servants of any particular plantation from the place where they are seatted. And that it shalbe<sup>239</sup> the duty of the Governour<sup>240</sup> & Counsell of Estate most severely to punish both the seducers and the seduced, and to returne<sup>241</sup> these latter into their former places.

Be it further enacted that the orders for the Magazin<sup>242</sup> lately made be exactly kepte, and that the Magazin be preserved from wrong<sup>243</sup> and

<sup>215</sup> Growth, McDonald. <sup>216</sup> fixe, McDonald and Bancroft. <sup>217</sup> leaste, McDonald and Bancroft. <sup>218</sup> vertue, McDonald. <sup>219</sup> shall be, McDonald. <sup>220</sup> further, McDonald. <sup>221</sup> fetled, McDonald. <sup>222</sup> next, McDonald. <sup>223</sup> comodity, McDonald and Bancroft. <sup>224</sup> shall be, McDonald. <sup>225</sup> Governour, McDonald. <sup>226</sup> Englishe, Bancroft. <sup>227</sup> wee doe, McDonald. <sup>228</sup> feedes, Bancroft. <sup>229</sup> Governour, McDonald and Bancroft. <sup>230</sup> foe, McDonald. <sup>231</sup> such, Bancroft. <sup>232</sup> eache, McDonald and Bancroft. <sup>233</sup> qualitie, Bancroft. <sup>234</sup> contracts, McDonald. <sup>235</sup> fend, McDonald. <sup>236</sup> duly, McDonald. <sup>237</sup> Governour, McDonald, <sup>238</sup> &, McDonald. <sup>239</sup> shall be, McDonald. <sup>240</sup> Governour, McDonald; Governour, Bancroft. <sup>241</sup> return, Bancroft. <sup>242</sup> magazine, McDonald. <sup>243</sup> wronge, McDonald.

finifter practifes, and that according to the orders of courte in Englande<sup>244</sup> all Tobacco and fassafra be brought<sup>245</sup> by the Planters to the Cape marchant till fuche time as all the goods<sup>246</sup> nowe or heretofore fent for the Magazin be taken off their handes at the prices agreed on. That by this meanes<sup>247</sup> the fome<sup>248</sup> going for Englande<sup>249</sup> with<sup>250</sup> one hande, the price thereof may be uphelde<sup>251</sup> the better. And to the ende that all the whole Colony may take notice of the laft order of Courte made in Englande and all thofe whom it concerneth may know<sup>252</sup> howe<sup>253</sup> to obferve it, we<sup>254</sup> holde it fitt to publifhe it here for a lawe<sup>255</sup> among the reft of our lawes. The w<sup>ch</sup><sup>256</sup> order is as followeth :

Upon the 26<sup>257</sup> of October, 1618, it was ordered that the Magazin<sup>258</sup> fhould continue during<sup>259</sup> the terme formerly prefixed, and that certaine<sup>260</sup> abufes now complained of fhould be reformed, and that for preventing of all Impositions fave the allowance of 25 in the hundred proffitt, the Governo<sup>r</sup><sup>261</sup> fhall have an invoice as well as the Cape Marchant, that if any abuse in the fale of the<sup>262</sup> goods be offered, wee<sup>263</sup> upon Intelligence and due examination thereof, fhall fee it correctede. And for the encouragement<sup>264</sup> of particular hundreds, as Smythe's hundred, Martin's hundred, Lawnes' hundred, and the like, it is agreed that what comodities are reaped upon anie of thefe General<sup>1</sup><sup>265</sup> Colonies, it fhall be lawefull for them to returne the fame to their own adventurers. Provided that the fame<sup>266</sup> comodity be of their owne growing, w<sup>th</sup> out trading w<sup>th</sup> any other, in one entyre lumps and not difperfed, and that at the determination of the jointe ftocke, the goods then remaining in the Magazin<sup>267</sup> fhall be<sup>268</sup> bought by the faid particular Colonies before any other goods w<sup>ch</sup> fhall be fente by private men. And it was moreover ordered that if the lady la warre, the Lady Dale, Captain Bargrave and the reft, would unite themfelves into a fettled<sup>269</sup> Colony they might be capable of the fame privilegedes that are graunted to any of the forefaid hundreds. Hitherto the order.

All<sup>270</sup> the general Affembly by voices concluded not only the acceptance and obfervation of this order, but of the Inftitution alfo to Sir George Yeardley next preceding the fame. Provided firft, that the Cape Marchant do<sup>271</sup> accepte of the Tobacco of all and everie the Planters here in Virginia, either for Goods or upon billes of Exchange at three fhillings the pounce the befte, and 18d the fecond sorte. Provided alfo that the billes be only payde in Englande. Provided, in the third place, that if any other befides the Magazin<sup>272</sup> have at any time any neceffary comodity w<sup>ch</sup> the Magazine doth wante, it fhall and may be lawfull for any of the

<sup>244</sup> England, McDonald. <sup>245</sup> Sasafra brought, McDonald; to be brought, Bancroft. <sup>246</sup> goodes, Bancroft. <sup>247</sup> means, Bancroft. <sup>248</sup> fame, McDonald and Bancroft. <sup>249</sup> Eng-land, McDonald. <sup>250</sup> into, McDonald and Bancroft. <sup>251</sup> upheld, Bancroft. <sup>252</sup> know, McDonald. <sup>253</sup> how, McDonald. <sup>254</sup> wee, McDonald. <sup>255</sup> law, McDonald. <sup>256</sup> which, McDonald. <sup>257</sup> 26th, McDonald and Bancroft. <sup>258</sup> Magazine, McDonald. <sup>259</sup> duringe, McDonald. <sup>260</sup> certain, Bancroft. <sup>261</sup> Governour, McDonald and Bancroft. <sup>262</sup> the omitted by McDonald. <sup>263</sup> wee, McDonald, Bancroft. <sup>264</sup> encouragement, McDonald. <sup>265</sup> feveral, McDonald; feveral, Bancroft; this word evidently the proper one. <sup>266</sup> faid, McDonald, Bancroft. <sup>267</sup> magazine, McDonald. <sup>268</sup> fhall be, McDonald. <sup>269</sup> fettled, Bancroft. <sup>270</sup> And, Bancroft. <sup>271</sup> doe, McDonald. <sup>272</sup> magazine, McDonald.

Colony to buye<sup>273</sup> the said necessary comodity of the said party, but upon the termes of the Magazin<sup>274</sup> viz: allowing no more gaine then 25 in the hundred, and that with the leave of the Governour. Provided, lastely,<sup>275</sup> that it may be lawfull<sup>276</sup> for the Govern<sup>r</sup><sup>277</sup> to give leave to any Mariner, or any other perfon, that shall have any fuche necessary comodity wanting to the Magazin<sup>278</sup> to carrie home for England so muche<sup>279</sup> Tobacco or other naturall comodities of the Country<sup>280</sup> as his Customers shall pay him for the said necessary comodity or comodities. And to the ende we may not only persuade and incite men, but inforce them also thoroughly and loyally to aire their Tobacco before they bring it to the Magazine,<sup>281</sup> be it enacted, and by these presents we doe enacte, that if upon the Judgement of power sufficient even of any incorporation where the Magazine<sup>282</sup> shall reside, (having first taken their oaths to give true sentence, twoe whereof to be chozen by the Cape Marchant and twoe by the Incorporation,) any Tobacco whatsoever shall not proove<sup>283</sup> vendible at the second price, that it shall there immediately be burnt before the owner's face. Hitherto fuche lawes as were drawn out of the Instructions.

TUESDAY, Aug. 3,<sup>284</sup> 1619.

This morning a thirde<sup>285</sup> forte of lawes (fuche as might proceed out of every man's private conceipt<sup>286</sup>) were read and referred by halves to the same comitties<sup>287</sup> w<sup>ch</sup> were from the beginning.

This done, Captaine<sup>288</sup> William Powell presented to the Assembly a petition to have justice against a lewde<sup>289</sup> and trecherous servante of his who by false accusation given up in writing to the Governo<sup>r</sup><sup>290</sup> fought not onely to gett<sup>291</sup> him depofed from his government of James city and utterly (according to the Proclamation) to be degraded from the place and title of a Captaine, but to take his life from him also. And so out of the said Petition sprang this order following:

Captaine William Powell presented a Petition to the generall<sup>292</sup> Assembly against<sup>293</sup> one Thomas Garnett, a servant of his, not onely for extreame neglect of his busineff to the great loss<sup>294</sup> and prejudice of the said Captaine, and for openly and impudently abusing his house, in fight both of Mafter and Mistresse, through wantonnes<sup>295</sup> w<sup>th</sup> a woman fervant of theirs, a widdowe, but also for falsely accusing him to the Governo<sup>r</sup><sup>296</sup> both of Drunkenes &<sup>297</sup> Thefte, and besides for bringing al<sup>298</sup> his fellow fervants to testifie<sup>299</sup> on his side, wherein they justly failed<sup>300</sup> him. It was thought

<sup>273</sup> Buy, McDonald. <sup>274</sup> magazine, McDonald. <sup>275</sup> lastly, McDonald. <sup>276</sup> lawful, McDonald. <sup>277</sup> Governour, McDonald and Bancroft. <sup>278</sup> As this word is spelt by McDonald in every instance with the final e this note will not be repeated. <sup>279</sup> much, McDonald. <sup>280</sup> country, McDonald. <sup>281</sup> Magazin, Bancroft. <sup>282</sup> do. do. <sup>283</sup> prove, Bancroft. <sup>284</sup> 3rd, Bancroft. <sup>285</sup> third, Bancroft. <sup>286</sup> conceipte, McDonald and Bancroft. <sup>287</sup> comitties, Bancroft. <sup>288</sup> Capt., Bancroft. <sup>289</sup> lewd, McDonald. <sup>290</sup> Governour, McDonald and Bancroft. <sup>291</sup> get, McDonald. <sup>292</sup> General, McDonald. <sup>293</sup> ag<sup>t</sup>, McDonald. <sup>294</sup> losse, McDonald and Bancroft. <sup>295</sup> wantonnes, McDonald; wantonnefs, Bancroft. <sup>296</sup> Governour, McDonald and Bancroft. <sup>297</sup> McDonald omits the &; Bancroft, nor and. <sup>298</sup> McDonald omits the all. <sup>299</sup> certifie, Bancroft. <sup>300</sup> failed, McDonald, Bancroft.

fitt by the general assembly (the Governour himselfe<sup>301</sup> giving sentence), that he should stand<sup>302</sup> fower dayes with his eares nayled to the Pillory, viz: Wednesday, Aug. 4<sup>th</sup>, and so likewise Thursday, fryday and Satturday<sup>303</sup> next following, and every of those fower dayes should be publicly whipped. Now, as touching the neglecte of his worke, what satisfaction ought to be made to his M<sup>r</sup> for that is referred to the Governour and Counsell of Estate.

The same morning the lawes abovementioned, drawn out of the instructions, were read, and one by one thoroughly examined, and then passed once again<sup>304</sup> the general<sup>305</sup> consente of the whole Assembly.

This afternoon the committies brought in a reporte, what they had done as concerning the third sorte of lawes, the discussing whereof spent the residue of that daye. Excepte onely the consideration of a petition of M<sup>r</sup> John Rolfe againste Captaine John Martine<sup>306</sup> for writing a letter to him wherein (as M<sup>r</sup> Rolfe alledgeth) he taxeth him both unseemly<sup>307</sup> and amisse of certaine thinges<sup>308</sup> wherein he was never faulty, and besides, casteth some aspersions upon the present government, w<sup>ch</sup> is the most temperate and juste<sup>309</sup> that ever was in this country, too milde, indeed, for many of<sup>310</sup> this Colony, whom unwoonted<sup>311</sup> liberty hath made insolente and not to knowe<sup>312</sup> themselves. This Petition of M<sup>r</sup> Rolfe's was thought fitt to be referred to the Counsell of State:

WEDNESDAY, Aug. 4<sup>th</sup>.

This daye (by reason of extream heat, both paste and likely to ensue, and by that meanes of the alteration of the healthes of diverse of the general Assembly) the Governour, who<sup>313</sup> himselfe also<sup>314</sup> was not well, resolved should be the last of this first session; so in the morning the Speaker (as he was required by the Assembly) redd over all the lawes and orders that had formerly passed the house, to give the same yett one reviewe<sup>315</sup> more, and to see whether there were any thing to be amended or that might be excepted againste. This being done, the third sorte of lawes w<sup>ch</sup> I am now coming<sup>316</sup> to fette downe, were read over thoroughly<sup>317</sup> discussed, w<sup>ch</sup>, together w<sup>th</sup> the former, did now passe the laste and finall consente of the General<sup>318</sup> Assembly.

A third sorte of lawes, suche as may<sup>319</sup> issue out of every man's private<sup>320</sup> conceipte.

It shalbe free for every man to trade w<sup>th</sup> the Indians, servants onely excepted, upon paine of whipping, unless the M<sup>r</sup> will<sup>321</sup> redeeme it off w<sup>th</sup> the payment of an Angell, one-fourth parte whereofe to go<sup>322</sup> to the Provost

<sup>301</sup> Himself, McDonald. <sup>302</sup> stande, McDonald, Bancroft. <sup>303</sup> Saturday, Bancroft. <sup>304</sup> againe, McDonald, Bancroft. <sup>305</sup> generall, McDonald, Bancroft. <sup>306</sup> Martin, McDonald. <sup>307</sup> unseemingly, Bancroft. <sup>308</sup> things, McDonald, Bancroft. <sup>309</sup> just, McDonald. <sup>310</sup> in, McDonald. <sup>311</sup> unwonted, McDonald. <sup>312</sup> know, McDonald. <sup>313</sup> who, omitted by McDonald. <sup>314</sup> who, inserted by McDonald. <sup>315</sup> review, McDonald. <sup>316</sup> come, McDonald. <sup>317</sup> thoroughly, McDonald. <sup>318</sup> generall, McDonald. <sup>319</sup> maye, Bancroft. <sup>320</sup> privat, McDonald, Bancroft. <sup>321</sup> will, omitted by McDonald. <sup>322</sup> goe, McDonald.



Marshall, one fourth parte to the discoverer, and the other moyty to the publique uses of the Incorporation.<sup>323</sup>

That no man doe<sup>324</sup> sell or give any of the greater howes to the Indians, or any Englishe dog of quality, as a mastive,<sup>325</sup> greyhound, blood-hounde, lande or water spaniel, or any other dog or bitche whatsoever, of the Englishe race, upon paine of forfaiting 5<sup>s</sup> <sup>327</sup> sterling to the publique uses of the Incorporation where he dwelleth.

That no man do sell or give any Indians any piece, shott or poulder, or any other armes, offensive or defensive, upon paine of being held a Tray-tour to the Colony, and of being hanged as soon as the facte<sup>328</sup> is proved, w<sup>th</sup>out all redemption.<sup>329</sup>

That no man may go above twenty miles from his dwelling-place, nor upon any voiage whatsoever shalbe absent from thence for the space of seven dayes together w<sup>th</sup>out first having made the Governo<sup>r</sup> <sup>330</sup> or comaunder of the same place acquainted therew<sup>th</sup>,<sup>331</sup> upon paine<sup>332</sup> of paying twenty shillings<sup>333</sup> to the publique uses of the same Incorporation where the party delinquent dwelleth.

That noe man shall purposely goe to any Indian townes, habitations or places of resort<sup>334</sup> w<sup>th</sup>out leave from the Governo<sup>r</sup> <sup>335</sup> or comaunder<sup>336</sup> of that place where he liveth, upon paine of paying 40<sup>s</sup> to publique uses as aforesaid.

That no man living in this Colony, but shall between this and the first of January next ensuing come or sende to the Secretary of Estate <sup>337</sup> to enter his own and all his servants' names, and for what terme or upon what conditions they are to serve, upon penalty of paying 40<sup>s</sup> to the said Secretary of Estate.<sup>338</sup> Also, whatsoever M<sup>rs</sup> or people doe<sup>339</sup> come over to this plantation that within<sup>340</sup> one month of their arrivall (notice being first given them of this very lawe) they shall likewise resort to the Secretary of Estate<sup>341</sup> and shall certifie him upon what termes or conditions they be come hither, to the ende that he may recorde their grauntes and comissions, and for how long time and upon what conditions<sup>342</sup> their servants (in case they have any) are to serve them, and that upon paine of the penalty nexte above mentioned.

All Ministers in the Colony shall once a year, namely, in the moneth of Marche, bringe to the Secretary of Estate a true account of all Christenings, burials and marriages, upon paine, if they fail, to be censured for their negligence by the Governo<sup>r</sup> <sup>343</sup> and Counsell<sup>344</sup> of Estate; likewise, where there be no ministers, that the comandars of the place doe supply the same duty.

<sup>323</sup> Where he dwelleth, added in McDonald copy. <sup>324</sup> do, McDonald, Bancroft. <sup>325</sup> English, McDonald. <sup>326</sup> mastiffe, McDonald. <sup>327</sup> 5<sup>s</sup>, McDonald; 4<sup>s</sup>, Bancroft. <sup>328</sup> fact, McDonald. <sup>329</sup> In the McDonald copy this and the paragraph next preceding are transposed. <sup>330</sup> Governour, McDonald, Bancroft. <sup>331</sup> therewith, McDonald, Bancroft. <sup>332</sup> penalty, McDonald. <sup>333</sup> shillings, Bancroft. <sup>334</sup> reforte, McDonald, Bancroft. <sup>335</sup> Gover<sup>nr</sup>, McDonald; Governour, Bancroft. <sup>336</sup> comander, McDonald; comand<sup>r</sup>, Bancroft. <sup>337</sup> State, McDonald. <sup>338</sup> State, McDonald. <sup>339</sup> do, Bancroft. <sup>340</sup> w<sup>th</sup>in, McDonald. <sup>341</sup> State, McDonald. <sup>342</sup> In the McDonald copy, from the word conditions, in the third line above, to this point are omitted. <sup>343</sup> Governour, McDonald, Bancroft. <sup>344</sup> Council, McDonald.

No man, w<sup>th</sup>out leave of the Governo<sup>r</sup>, shall kill any Neatt cattle whatsoever, young or olde, especially kine, Heyfurs or cow-calves, and shalbe<sup>345</sup> carefull to preserve their steeres<sup>346</sup> and oxen, and to bring them to the plough and such profitable uses, and w<sup>th</sup>out having obtained leave as afore-said, shall not kill them, upon penalty of forfeiting the value of the beast so killed.

Whosoever shall take any of his neighbours' boates, oares, or canoas w<sup>th</sup>out leave from the owner shalbe held<sup>348</sup> and esteemed as a felon and so proceeded againste;<sup>349</sup> tho<sup>350</sup> hee that shall take away by violence or stelth any canoas or other thinges from the Indians shall make valuable restitution to the said Indians, and shall forfeit, if he be a freeholder, five pound; if a servant, 40<sup>s</sup>, or endure a whipping; and anything under the value of 13<sup>d</sup> <sup>351</sup> shall be accounted Petty larceny.

All minifters shall duely read divine service, and exercise their ministerial function according to the Ecclesiastical lawes and orders of the church<sup>352</sup> of Englande, and every Sunday in the afternoon<sup>353</sup> shall Catechize such as are not yet ripe to come to the Com.<sup>354</sup> And whosoever of them shalbe<sup>355</sup> found negligent or faulty in this kinde shalbe subject to the censure of the Govern<sup>r</sup> and Counsell of Eftate.

The Minifters and Churchwardens shall seeke to presente<sup>356</sup> all ungodly disorders, the comitters wherof<sup>357</sup> if, upon goode<sup>358</sup> admonitions and mild reproof<sup>359</sup> they will not forbear the said skandalous offences,<sup>360</sup> as suspicions of whoredomes,<sup>361</sup> dishonest company keeping with women and such<sup>362</sup> like, they are to be presented and punished accordingly.

If any person after two warnings, doe<sup>363</sup> not amende<sup>364</sup> his or her life in point<sup>365</sup> of evident suspicion of Incontincy<sup>366</sup> or of the comission<sup>367</sup> of any other enormous finnes,<sup>368</sup> that then he or shee be presented by the Churchwardens and suspended for a time from the church by the minister. In w<sup>ch</sup> Interim if the same person do<sup>369</sup> not amende and humbly submit<sup>370</sup> him or herselfe to the church, he is then fully to be excommunicate and soon after a writt or warrant to be sent<sup>371</sup> from the Govern<sup>r</sup><sup>372</sup> for the apprehending of his person and seizing on<sup>373</sup> all his goods. Provided alwayes, that all the minifters doe meet<sup>374</sup> once a quarter, namely, at the feast of S Michael the Arkangell, of the nativity of our saviour, of the Annuntiation of the blessed Virgine, and about midfomer, at<sup>375</sup> James city or any other place where the Governo<sup>r</sup><sup>376</sup> shall reside, to determine whom it is fitt to excommunicate, and that they first presente their opinion to the Governo<sup>r</sup> <sup>377</sup> ere they proceed to the acte of excommunication.

<sup>345</sup> Shall be, McDonald, Bancroft. <sup>346</sup> steers, McDonald. <sup>348</sup> helde, McDonald, Bancroft. <sup>349</sup> against, McDonald, Bancroft. <sup>350</sup> also, McDonald, Bancroft. <sup>351</sup> 13 ob., McDonald. <sup>352</sup> Church, McDonald. <sup>353</sup> afternoone, McDonald. <sup>354</sup> communion, McDonald. <sup>355</sup> shall be, McDonald. <sup>356</sup> prevent, McDonald. <sup>357</sup> whereof, McDonald, Bancroft. <sup>358</sup> good, McDonald, Bancroft. <sup>359</sup> reproofe, McDonald. <sup>360</sup> offences, McDonald. <sup>361</sup> whoredoms, McDonald. <sup>362</sup> such, McDonald. <sup>363</sup> do., Bancroft. <sup>364</sup> amend, Bancroft. <sup>365</sup> pointe, McDonald. <sup>366</sup> Incontinency, McDonald, Bancroft. <sup>367</sup> commiffion, McDonald. <sup>368</sup> finnes, Bancroft. <sup>369</sup> doe, McDonald. <sup>370</sup> submit, McDonald, Bancroft. <sup>371</sup> sente, McDonald, Bancroft. <sup>372</sup> Governour, Bancroft. <sup>373</sup> McDonald omits on. <sup>374</sup> meete, McDonald. <sup>375</sup> att., McDonald. <sup>376</sup> Govern<sup>r</sup>, McDonald; Governour, Bancroft. <sup>377</sup> Governour, McDonald, Bancroft.

For reformation of swearing, every freeman and M<sup>r</sup> of a family after thrise admonition shall give 5s or the value upon present<sup>378</sup> demaunde, to the use of the church where he dwelleth; and every servant after the like admonition, excepte his M<sup>r</sup> discharge<sup>379</sup> the fine, shalbe subject to whipping. Provided, that the payment of the fine notwithstanding, the said servant shall acknowledge his faulte publicly in the Church.

No man whatsoever, coming by water from above, as from Henrico, Charles citty, or any place from the westwarde of James citty, and being bound for Kiccowtan,<sup>380</sup> or any other parte on this side,<sup>381</sup> the same shall perfume to pafs by, either by day or by night, w<sup>th</sup>out touching firste here at James citty to knowe<sup>382</sup> whether the Governo<sup>r</sup> <sup>383</sup> will comande him any service. And the like shall they performe that come from Kicawtan<sup>384</sup> ward, or from any place between this and that, to go upwarde, upon paine of forfaiting ten pound sterling a time to the Governo<sup>r</sup> <sup>385</sup>. Provided, that if a servant having had instructions from his Master to observe this lawe,<sup>386</sup> doe, notwithstanding, transgresse the same, that then the said<sup>387</sup> servant shalbe punished at the Governo<sup>r</sup>'s discretion; otherwise, that the master himselfe shall undergo the foresaid penalty.

No man shall trade<sup>388</sup> into the baye, either in shallop, pinnace, or ship, w<sup>th</sup>out the Govern<sup>r</sup>'s <sup>389</sup> license, and w<sup>th</sup>out putting in security that neither himself nor his Company shall force or wrong the Indians, upon paine that, doing otherwise, they shalbe censured at their returne by the Govern<sup>r</sup> <sup>390</sup> and Counsell<sup>391</sup> of Estate.

All persons whatsoever upon the Sabaoth daye<sup>392</sup> shall frequente divine service and fermons both forenoon and afternoon, and all fuche as beare armes shall bring<sup>393</sup> their pieces, fwordes, poulder and shotte. And every one that shall transgresse this lawe shall forfait<sup>394</sup> three shillings<sup>395</sup> a time to the use of the church, all lawful and necessary impediments excepted. But if a servant in this case shall wilfully neglecte his M<sup>r</sup> comande he shall suffer bodily punishmente.

No maide or woman servant, either now resident in the Colonie or hereafter to come, shall contract herselfe in marriage w<sup>th</sup>out either the consente of her parents, or of her M<sup>r</sup> or M<sup>rs</sup>, or of the magistrat<sup>396</sup> and minifter of the place both together. And whatsoever minifter shall marry or contracte any fuche persons w<sup>th</sup>out some of the foresaid consentes shalbe<sup>397</sup> subiecte to the severe censure of the Govern<sup>r</sup> <sup>398</sup> and Counsell<sup>399</sup> of Estate.

Be it enacted by this<sup>400</sup> present assembly that whatsoever servant hath heretofore or shall hereafter contracte himselfe in England, either by way of Indenture or otherwise, to serve any Master here in Virginia and shall

<sup>378</sup> Presente, McDonald. <sup>379</sup> discharge, McDonald. <sup>380</sup> Kicowtan, Bancroft. <sup>381</sup> of, inferred by McDonald. <sup>382</sup> know, McDonald. <sup>383</sup> Governour, McDonald, Bancroft. <sup>384</sup> Kiccowtan, McDonald, Bancroft. <sup>385</sup> Governor, McDonald, Bancroft. <sup>386</sup> McDonald reads, observe his service. <sup>387</sup> sd, McDonald. <sup>388</sup> shall have trade, Bancroft. <sup>389</sup> Governour's, McDonald, Bancroft. <sup>390</sup> Governour, McDonald; Gov<sup>r</sup>, Bancroft. <sup>391</sup> Council, McDonald. <sup>392</sup> days, McDonald, Bancroft. <sup>393</sup> bringe, McDonald. <sup>394</sup> forfait, Bancroft. <sup>395</sup> shillings, Bancroft. <sup>396</sup> magistrate, McDonald. <sup>397</sup> shall be, McDonald, Bancroft. <sup>398</sup> Gover<sup>r</sup>, McDonald; Gov<sup>r</sup>, Bancroft. <sup>399</sup> Council, McDonald. <sup>400</sup> the, McDonald.

afterward, against<sup>401</sup> his said former contracte, depart from his M<sup>r</sup> w<sup>th</sup>out leave, or, being once imbarked, shall abandon the ship he is appointed to come in, and so, being lefte behinde, shall putt<sup>402</sup> himselfe into the service of any other man that will bring him hither, that then at the same servant's arrival here, he shall first serve out his time with that M<sup>r</sup> that brought him hither and afterward also shall serve out his time<sup>403</sup> w<sup>th</sup> his former M<sup>r</sup> according to his covenant.

Here ende the lawes.

All these lawes being thus concluded and consented to as aforesaide<sup>404</sup> Captaine Henry Spellman<sup>405</sup> was called to the barre to answere to certaine misdemeano<sup>r</sup>s layde to his chardge by Robert Poole, interpretour, upon his oath (whose examination the Governo<sup>r</sup> sente into England in the Profperus), of w<sup>ch</sup> accusations of Poole some he acknowledged for true, but the greatest<sup>406</sup> part he denyed. Whereupon the General<sup>407</sup> Assembly, having thoroughly heard and considered his speeches, did constitute this order following against him :

AUG. 4<sup>th</sup>, 1619.

This day Captaine Henry Spelman<sup>408</sup> was convented before the General Assembly and was examined by a relation upon oath of one Robert Poole, Interpreter, what conference had passed between the said Spelman<sup>409</sup> and Opochancano at Poole's meeting with him in Opochancano's courte. Poole chardgeth him he spake very unreverently and maliciously against<sup>410</sup> this present Govern<sup>r</sup>,<sup>411</sup> wherby the honour and dignity of his place and person, and so of the whole Colonie, might be brought into contempte, by w<sup>ch</sup> meanes what mischiefs might enfue from the Indians by disturbance of the peace or otherwise, may easily be conjectured. Some thinges of this relation Spelman confessed, but the most part he denyed, excepte onely one matter of importance, & that was that he hade informed Opochancano that w<sup>th</sup>in a yere there would come a Governo<sup>r</sup> <sup>412</sup> greater then<sup>413</sup> this that nowe is in place. By w<sup>ch</sup> and by other reportes it seemeth he hath alienated the minde of Opochancano from this present Governour, and brought him in much disesteem, both w<sup>th</sup> Opochancano<sup>414</sup> and the Indians, and the whole Colony in danger of their slippery designses.

The general assembly upon Poole's testimony onely not willing to putt Spelman to the rigour and extremity of the lawe, w<sup>ch</sup> might, perhaps both speedily and deservedly, have taken his life from him (upon the witness<sup>415</sup> of one whom he muche excepted against), were pleased, for the present, to censure him rather out of that his confession above written then<sup>416</sup> out of any other prooffe. Several and sharpe punishments were pronounced

<sup>401</sup> Ag<sup>st</sup>, McDonald. <sup>402</sup> put, McDonald, Bancroft. <sup>403</sup> McDonald omits the words, with that M<sup>r</sup> that brought him hither and afterwards also shall serve out his time. <sup>404</sup> Aforesaid, Bancroft. <sup>405</sup> Spellman, McDonald. <sup>406</sup> greatest, McDonald. <sup>407</sup> gen<sup>l</sup>, Bancroft. <sup>408</sup> Spellman, Bancroft. <sup>409</sup> Spellman, Bancroft. <sup>410</sup> ag<sup>st</sup>, McDonald. <sup>411</sup> Governour, Bancroft. <sup>412</sup> Governour, McDonald, Bancroft. <sup>413</sup> than, McDonald, Bancroft. <sup>414</sup> Opochancanos, McDonald. <sup>415</sup> witness, McDonald, Bancroft. <sup>416</sup> than, Bancroft.

against<sup>417</sup> him by diverſe of the Affembly, But in fine the whole courſe<sup>418</sup> by voices united did encline to the moſt favourable, w<sup>ch</sup> was that for this miſdemeanour<sup>419</sup> he ſhould firſt be degraded of his title of Capitaine,<sup>420</sup> at the head of the troupe, and ſhould be condemned to performe ſeven yeares ſervice to the Colony in the nature of Interpreter to the Governour.

This ſentence being read to Spelman he, as one that had in him more of the Savage then of the Chriſtian, muttered certaine wordes to himſelfe neither ſhewing any remorse for his offences, nor yet any thankfulneſs to the Affembly for their ſofavourable cenſure, w<sup>ch</sup> he at one time or another (God's grace not wholly abandoning him) might w<sup>th</sup> ſome one ſervice have been able to have redeemed.\*

This day alſo did the Inhabitants of Paſſapaigh, alias Argall's towne, preſent a petition to the general aſſembly to give them an abſolute diſcharge from certaine bondes wherein they ſtand bound to Captain Samuall Argall for the paym<sup>t</sup> of 600<sup>l</sup>,<sup>421</sup> and to Captain William Powell, at Captain Argall's appointment, for the paym<sup>t</sup> of 50<sup>l</sup>.<sup>422</sup> more. To Capitaine Argall for 15 ſkore acres of wooddy ground, called by the name of Argal's<sup>423</sup> towne or Paſſapaigh; to Capitaine Powell in reſpect of his paines in clearing the grounde and building the houſes, for w<sup>ch</sup> Capitaine<sup>424</sup> Argal ought to have given him ſatiſfaction. Nowe,<sup>425</sup> the general aſſembly being doubtful whether they have any power and authority to diſcharge the ſaid bondes, doe by theſe preſents<sup>426</sup> (at the Inſtance of the ſaid Inhabitants<sup>427</sup> of Paſſapaighs, alias Martin's hundred people) become moſt humble ſutours to the Trefurer, Counſell and Company in England that they wilbe<sup>428</sup> pleaſed to gett the ſaid bondes for 600<sup>l</sup>.<sup>429</sup> to be cancelled; forasmuche as in their great comiſſion they have expreſſly and by name appointed that place of Paſſapaigh for parte of the Governour's<sup>430</sup> lande. And wheras Captain<sup>431</sup> William Powell is payde<sup>432</sup> his 50<sup>l</sup>. w<sup>ch</sup> Capitaine<sup>433</sup> Argall enjoined the faide Inhabitantes to preſente him with, as parte<sup>434</sup> of the bargaine, the general aſſembly, at their intreaty, do become ſutours on their behalfe, that Capitaine Argall, by the Counſell & Company in England, may be compelled either to reſtore the ſaid 50<sup>l</sup>.<sup>435</sup> from thence, or elſe that reſtitution therof be made here out of the goods of the ſaid Captain Argall.

The laſt acte of the General Aſſembly was a contribution to gratifie their officers, as followeth:†

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\* This paragraph appears only in the McDonald copy, and in that it has two rows of lines at right angles to each other and diagonally across it, as if to indicate that this portion of the record was considered as being improperly made or, perhaps, was not official.

† This paragraph is in the McDonald and Bancroft copies but not in De Jarnette's.

<sup>417</sup> Ag<sup>st</sup>, McDonald. <sup>418</sup> courte, McDonald, Bancroft. <sup>419</sup> miſdemeanor, McDonald; miſdemean<sup>r</sup>, Bancroft. <sup>420</sup> Capt., McDonald. <sup>421</sup> 600<sup>l</sup>, McDonald; £60, Bancroft. <sup>422</sup> 50<sup>l</sup>, McDonald; £50, Bancroft. <sup>423</sup> Argall's, McDonald. <sup>424</sup> Capt., Bancroft. <sup>425</sup> now, McDonald. <sup>426</sup> preſentes, McDonald, Bancroft. <sup>427</sup> Inhabit<sup>ts</sup>, Bancroft. <sup>428</sup> will be, McDonald, Bancroft. <sup>429</sup> 600<sup>l</sup>, McDonald; £60, Bancroft. <sup>430</sup> Governours, McDonald, Bancroft. <sup>431</sup> Capitaine, McDonald, Bancroft. <sup>432</sup> payde, Bancroft. <sup>433</sup> Capt., Bancroft. <sup>434</sup> part, Bancroft. <sup>435</sup> 50<sup>l</sup>, McDonald; £50, Bancroft.

AUG. 4<sup>th</sup>, 1619.

It is fully agreed at this generall<sup>438</sup> Affembly that in regarde of the great<sup>437</sup> paines and labour of the<sup>438</sup> Speaker of this Affembly (who not onely<sup>439</sup> first formed the same Affembly and to their great ease & expedition reduced all matters to be treated of into a ready method, but also his indisposition notwithstanding wrote or dictated all orders and other expedients and is yet<sup>440</sup> to write severall bookes for all the Generall<sup>441</sup> Incorporations and plantations both of the great charter, and of all the lawes) and likewise in respecte of the dilligence of the Clerke and sargeant, officers thereto belonging. That every man and manservant of above 16 yeares of age shall pay into the handes and Custody of the Burgessees of every Incorporation and plantation one pound of the best Tobacco, to be distributed to the Speaker and likewise to the Clerke and sargeant of the Affembly, according to their degrees and rankes, the whole bulke whereof to be delivered into the Speaker's handes, to be divided accordingly. And in regarde<sup>442</sup> the Provost Marshall of James citty hath also given some attendance upon the said Generall Affembly, he is also to have a share out of the same. And this is to begin to be gathered the 24<sup>th</sup> of February nexte.

In conclusion, the whole Affembly comaunded<sup>443</sup> the Speaker (as nowe he doth) to present their humble excuse to the Treasurer<sup>444</sup> Counsell & Company in England for being constrained by the intemperature of the weather and the falling sick of diverse of the Burgessees to breake up so abruptly—before they had so much as putt their lawes to the ingrossing. This they wholly comited to<sup>445</sup> the fidelity of their speaker, who therein<sup>446</sup> (his conscience telles him) hath done the parte<sup>447</sup> of an honest man, otherwise he would be easily founde<sup>448</sup> out by the Burgessees themselves, who with all expedition are to have so many bookes of the same lawes as there be both Incorporations and Plantations in the Colony.

In the seconde place, the Affembly doth most humbly crave pardon that in so shorte<sup>449</sup> a space they could bring their matter to no<sup>450</sup> more perfection, being for the present enforced to sende home titles rather then lawes, Propositions rather then resolutions, Attempes then Achievements, hoping their courtesy will accepte our poore indeavour, and their wisdom wilbe<sup>451</sup> ready to supporte the weaknes of this little flocke.

Thirdly, the General Affembly doth humbly beseech<sup>452</sup> the said Treasurer,<sup>453</sup> Counsell & Company, that albeit it belongeth to them onely to allowe or to abrogate any lawes w<sup>ch</sup> we shall here make,<sup>454</sup> and that it is their right so to doe,<sup>455</sup> yet that it would please them not to take it in ill parte if these lawes w<sup>ch</sup> we have nowe brought to light, do passe currant<sup>456</sup>

<sup>438</sup> general, McDonald. <sup>437</sup> greater, Bancroft. <sup>438</sup> this, McDonald. <sup>439</sup> only, McDonald. <sup>440</sup> yett, Bancroft. <sup>441</sup> severall, McDonald, Bancroft. <sup>442</sup> regard to, McDonald; regard, Bancroft. <sup>443</sup> commanded, McDonald, Bancroft. <sup>444</sup> Treasurer, McDonald, Bancroft. <sup>445</sup> in, Bancroft. <sup>446</sup> therein, McDonald. <sup>447</sup> part, McDonald. <sup>448</sup> would easily be found, McDonald; would easily be founde, Bancroft. <sup>449</sup> short, McDonald. <sup>450</sup> no, omitted by McDonald. <sup>451</sup> will be, McDonald, Bancroft. <sup>452</sup> beseeche, McDonald. <sup>453</sup> Treasurer, McDonald. <sup>454</sup> inactive, McDonald, Bancroft. <sup>455</sup> righte foe to do, McDonald; right to of doe, Bancroft. <sup>456</sup> current, Bancroft.

& be of force till fuche time as we<sup>457</sup> may knowe their farther pleafure out of Englande: for otherwife this people (who nowe at length have gotte<sup>458</sup> the raines<sup>459</sup> of former fervitude into their owne fwindge) would in fhorte time growe fo infolent, as they would fhake off all government, and there would be no living among them.

Their laft humble fuite is,<sup>460</sup> that the faid Counfell & Company would be pleafed, fo foon as they fhall finde<sup>461</sup> it convenient to make good their promife fett downe<sup>462</sup> at the conclufion of their commiffion for eftablifhing the Counfell<sup>463</sup> of Eftate & the General<sup>464</sup> Affembly, namely, that they will give us power to allowe or difallowe of their orders of Courte, as his Ma<sup>ty</sup><sup>465</sup> hath given them power to allowe or to reject<sup>466</sup> our lawes.

In fume Sir George Yeardley, the Governo<sup>r</sup><sup>467</sup> prorogued the faid General<sup>468</sup> Affembly till the firfte of Marche, which is to fall out this prefent yeare of 1619, and in the mean feafon diffolved the fame.

### FINIS.

I certify that the foregoing is a true and authentic copy taken from the volume above named.

JOHN McDONAGH,

Record Agent.

July 14th, 1871.

The McDonald copy has the following after Finis:

(in Dorfo.)

1619.

The proceedings of the firft Affembly of Virginia. July 1619.

True Copy,

AUGUSTUS AUSTEN BURT.

The above document is taken from the Colonial Records of Virginia. This record was printed from copies of the original obtained from the Public Record Office of Great Britain; viz., the McDonald and De Jarnette copies, and an abstract furnished by Mr. Sainsbury; Bancroft, also, obtained a copy, but the De Jarnette copy being in loose sheets was selected as the most convenient for the printer. Whenever a difference in either of these versions occurs, the footnotes make mention of it.

<sup>457</sup> wee, McDonald. <sup>458</sup> gott, McDonald; got, Bancroft. <sup>459</sup> reines, McDonald; raines, Bancroft. <sup>460</sup> fuit, McDonald. <sup>461</sup> find, McDonald. <sup>462</sup> down, McDonald. <sup>463</sup> Counsell, McDonald, Bancroft. <sup>464</sup> Generall, McDonald. <sup>465</sup> Majefty, McDonald; Ma<sup>ty</sup>, Bancroft. <sup>466</sup> rejecte, McDonald, Bancroft. <sup>467</sup> Gover<sup>nr</sup>, McDonald; Governour, Bancroft. <sup>468</sup> Generall, McDonald.

A natural desire had long existed to know something of the proceedings of the first legislative Assembly ever held in Virginia, an event which inaugurated a new era in the history of the hitherto disturbed and oppressed Colony. The historian, Stith, could find no trace of this paper; Jefferson searched for it in vain, and the patient, painstaking Henning believed it no longer extant.

What a prize then, is this "Reporte," in its full and circumstantial details of the baptism of representative government in the New World.

Here, it will be seen that this first legislative Assembly in the wilds of America was opened with *prayer*, and that in its deliberations *the Church of England* was confirmed as the Church of Virginia.

When Christopher Columbus ceased from the recital of his successful voyage of discovery before the Court of Spain, it is said that Ferdinand and Isabella, "together with all present, prostrated themselves on their knees in grateful thanksgiving, while the solemn strains of the *Te Deum* were poured forth by the choir of the royal chapel, as in commemoration of some glorious victory." And *yet*, this first Assembly in the land rescued from darkness by the liberality of Spain, was opened by a prayer which rose to Heaven, not in the liquid language of old Castile, but in the English tongue!

In the far past, the Creed held sway that the Pope of Rome, as vicar of Jesus Christ, had power to dispose of all countries inhabited by heathen nations, in favor of Christian potentates; and yet, the three papal bulls of Alexander VI., "out of his pure liberality, infallible knowledge, and plenitude of apostolic power," investing Spain with plenary authority over all countries discovered by it, and confirming its absolute possession of the same, all previous concessions to the contrary notwithstanding; yet, with all the weight of actual discovery, and the decrees of the pontifical throne in support of Spain, not the triple crown of Rome, but "*The Church of England*," first raised its spire in these primeval forests. Here it laid broad and deep the foundations of that Holy Religion which has been the bulwark of Virginia's



liberties, the strength of her manhood, the glory of her womanhood; the pillar of cloud by day and the pillar of fire by night, which for nearly three centuries has preserved the true and higher life of this noble old commonwealth!

The London Company approved the Colonial Assembly which had been convened by Sir George Yeardley, and on the 24th of July, 1621, a memorable ordinance, established for the colony a written constitution. Its terms were few and simple, but the system of representative government and trial by jury became an acknowledged right in the New World. On this celebrated ordinance Virginia erected the superstructure of her independence. "It constituted the plantation, in its infancy, a nursery of freemen," and its influences—sometimes written in letters of living light, sometimes written in blood—may be traced through all her history.\*

As an evidence of the increasing prosperity of the colony, it may be stated that in 1619, 20,000 pounds of tobacco were exported to England from Virginia; in April, 1620, a special commission was issued by King James for the inspection of this weed, and in June following, a proclamation for restraining the disorderly trading in the obnoxious article. Thus its uses and abuses began at an early period of colonial enterprise.

This year of 1620 is also memorable for the introduction of negro slaves into Virginia. A Dutch man-of-war landed twenty negroes for sale, and these were *the first* brought into the country—

"The direful spring  
Of woes unnumbered"—

to the far-off descendants of the colonists.

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\*See Hening's "Statutes at Large," Laws of Virginia, Vol. I., pp. 110-118.

# XIX.

## SIR FRANCIS WYATT.

*Governor and Captain-General.*

November 8, 1621, to May 17, 1626.

SIR FRANCIS WYATT came to Virginia in October, 1621, at the request of Governor Yeardley, whose term of office was soon to expire. He succeeded Yeardley, November 8, 1621, and was in his turn succeeded by Sir George Yeardley, May 17, 1626. Wyatt brought with him the new Constitution for the Colony, and the opening clause of his instructions reads as follows:

“To keep up religion of the Church of England as near as may be; to be obedient to the King and do justice after the form of the laws of England; and not to injure the natives; and to forget old quarrels now buried.”

During Wyatt's administration the Indian massacre of March 22, 1622, occurred, in which 347 of the colonists were killed, and “the 22d of March” was ordered by the General Assembly held March 5, 1623, to “be yearly solemnized as holliday,” in commemoration of the escape of the Colony from entire extirpation at this time. The calamities which had befallen the Virginia Colony, and the dissensions which had agitated the Company having been represented to the King, he, after some measures of inquiry, had the matter brought to trial in the Court of King's Bench, where judgment was given against the Virginia Company, and the charter vacated in 1624. King James now issued a new commission for the government of Virginia, continuing Sir Francis Wyatt in his office, with 11 Counsellors, and empowering them to govern “as fully and amplye as any Governor and Council resident there, at any time within the space of five years now last past.” This term of five years was pre-

cisely the established period of representative government, and so the continuance of popular assemblies was formally sanctioned. But King James was denied the task of giving to the Colony a code of fundamental laws, for he died March 27, 1625, and was succeeded by Charles I.

The demise of the Crown having annulled all former appointments for Virginia, Charles I. now reduced that Colony under the immediate direction of the throne, appointing a Governor and Council, and ordering all patents and processes to issue in his own name. His proclamation "for settling the plantation of Virginia," is dated May 13, 1625. When, however, early in 1626, Wyatt retired, the re-appointment of Sir George Yeardley by Charles I. was a guarantee in itself that, as "the former interests of Virginia were to be kept inviolate," so the representative government would be continued, for it was Yeardley who had introduced the system. King Charles, intent only on increasing his revenue, favored the wishes of the colonists, and in his commission to Yeardley expressed his desire to encourage and perfect the plantation "by the same means that were formerly thought fit for the maintenance of the Colony." He also limited the power of the Governor and Council, as had before been done in the commission of Wyatt, by a reference to the usages of the last five years. In that period representative liberty had become the custom of Virginia. A new heaven and a new earth had spread before the Virginia colonist, and time nor change has ever blotted from his race that love of freedom which he first tasted then.

## XX.

### SIR GEORGE YEARDLEY.

#### *Governor and Captain-General.*

May 17, 1626, to November 14, 1627.

WHEN, early in 1626, Wyatt retired from office (returning to Ireland on account of the death of his father), Charles I. appointed Sir George Yeardley his successor. Virginia rose, now, rapidly in public esteem. In 1627 one thousand emigrants arrived, and there was an increasing demand for the rich products of this virgin soil. During Yeardley's three administrations many and great events in the life of the Colony had taken place. Posterity retains a grateful recollection of the man who called together the first representative assembly in the New World. His career was closed by death, in November, 1627, and the colonists, in a letter to the Privy Council, pronounced a eulogy on his virtues. The day after his burial, and in the absence of John Harvey, who was named in Yeardley's commission as his eventual successor, Francis West was elected Governor, for the Council was authorized to elect the Governor "from time to time, as often as the case should require."

XXI.  
CAPTAIN FRANCIS WEST.  
*President of the Council*  
*and*  
*Governor.*

November 14, 1627, to March 5, 1629.

CAPTAIN FRANCIS WEST was a younger brother of Lord De la Warr. He came to the Colony early in its settlement. Here he married, and was long a member of the Council. In 1623 he went to Plymouth with a commission to be Admiral of New England. He was authorized to restrain vessels from fishing or trading on the coast without a license from the New England Council, but, meeting with difficulty in executing this part of his commission, he sailed for Virginia.

When Governor Yeardley died, the administration devolved on West. During his control of affairs the Colony received large accessions of emigrants from Europe. Captain West returned to England, March 5, 1629, when Dr. John Pott succeeded him in presiding over the fortunes of the Colony. Captain West is said to have come back again to Virginia, and to have met his death by drowning.

## XXII.

DOCTOR JOHN POTT.

*President of the Council*

*and*

*Governor.*

March 5, 1629, to March, 1630.

SIR JOHN HARVEY was appointed Governor and Captain-General, March 26, 1628, but not coming to Virginia at once, Dr. John Pott succeeded Captain Francis West in the government, and continued in office until the arrival of Sir John Harvey in March, 1630. During this period the Assembly was twice convened, and many regulations adopted for the defense of the Colony. Dr. Pott had accompanied Sir Francis Wyatt to Virginia as physician, in October, 1621, and was a member of the Council under the provisional government constituted by the King in 1624. He was esteemed the best surgeon and physician in the Colony.

## XXIII.

### SIR JOHN HARVEY.

#### *Governor and Captain-General.*

March, 1630, to April, 1635.

JOHN HARVEY was commissioned Governor of the Colony, March 26, 1628, and was knighted soon after by Charles I. He met his first Assembly of Burgesses, March 24, 1630. Harvey was one of the most rapacious, tyrannical, and unpopular of the royal Governors; was suspended by an indignant Assembly in 1635, and impeached, but was restored by the King the next year, and continued in office until 1639. But, during the period of his office, despite his partial judgments and cruel exercise of power, the accustomed legislative rights of the Colony were unimpaired.

On June 20, 1632, Charles I. granted to Lord Baltimore a patent for a portion of Virginia, which he named "Maryland" in honor of his Queen. This grant gave great umbrage to the planters of Virginia, and offers the first example in colonial history of the dismemberment of an ancient colony by the formation of a new province, with separate and equal rights. Virginia regarded the severing of her territory with apprehension. She remonstrated against the grant "as an invasion of her commercial rights, an infringement on her domains, and a discouragement to her planters"; but she remonstrated in vain.

John Harvey courted the favor of Lord Baltimore and sympathized with Maryland in the dispute over Kent Island and trade in the Chesapeake, and he was odious to the colonists, whose territorial interests he betrayed. They rose in indignation at his abuse of power, and on the 28th of April, 1635, arrested him "for treason" and drove him out of the country. But the territory of Maryland they could not reclaim; it had been taken from Virginia forever.

## XXIV.

### CAPTAIN JOHN WEST.

*President of the Council.*

April 28, 1635, to April 2, 1636.

CAPTAIN JOHN WEST was a younger brother of Lord De la Warr. When Sir John Harvey was "thrust out of his government," April 28, 1635, John West was selected to succeed him. He in turn was superseded by Harvey, April 2, 1636.

In March, 1659-60, when Sir William Berkeley was Governor, the House of Burgesses passed the following act :

"Whereas, the many important favours and services rendered to the countrey of Virginia by the noble family of the West, predecessors to Mr. John West, their now only survivor, claim at least that a grateful remembrance of their former merriits be still continued to their survivor, *It is ordered* That the levies of the said Master West and his family be remitted, and that he be exempted from payment thereof during life."

Captain John West remained in Virginia until his death.



## XXV.

SIR JOHN HARVEY.

*Governor and Captain-General.*

April 2, 1636, to November, 1639.

REINSTATED in his office by Charles the First, Sir John Harvey returned to Virginia. Without delay he met the Council at the church, at Elizabeth City, and published the King's proclamation pardoning, with a few exceptions, all persons who had given aid in the late uprising against him. In November, 1639, he was superseded by Sir Francis Wyatt.

## XXVI.

SIR FRANCIS WYATT.

*Governor and Captain-General.*

November, 1639, to February, 1642.

IN November, 1639, Sir Francis Wyatt succeeded to power, and convened a General Assembly in the following January. The XIth Act of this Assembly reads: "James City to be the chief town and Governor is to have his residence there." In consequence of laws restricting the culture of tobacco, this Assembly (Act VIII.) declared "Not to pay above two thirds of their debts during the stint." Beyond this, the administration of Wyatt, during this, his second term, passed quietly away. He died at Bexley, Kent, England, in 1644.

## XXVII.

### SIR WILLIAM BERKELEY.

#### *Governor and Captain-General.*

February, 1642, to June, 1644.

SIR WILLIAM BERKELEY was constituted Governor August 9, 1641, but did not assume the government until February, 1642. Harmony prevailed, and the memory of ancient griefs was lost in the growing spirit of independence which thrilled through every vein of the new and growing Body Politic. Virginia now enjoyed all the liberties which a monarch could concede and retain his supremacy.

The Indians, however, goaded on by grievous wrongs and a determination on the part of the settlers to make no terms of peace with them, resolved upon a general massacre of the pale-faced foe. This they attempted on April 18, 1644, but after slaying three hundred they abandoned their savage work and fled to the woods. So little was apprehended from them after this, that two months later Governor Berkeley embarked for England and left Richard Kempe as his substitute.

Sir William Berkeley was born near London in 1610. He was educated at Oxford, and by extensive travel and acquaintance with the world, was well fitted for the position of influence to which he was appointed in the Colony. How sad that so fair an entrance into power should e'er have had so foul an ending !

## XXVIII.

RICHARD KEMPE.

*President of the Council*

*and*

*Acting Governor.*

June, 1644, to June, 1645.

RICHARD KEMPE comes before us first as a member of the Council of Virginia, in 1642, and in 1644 as Acting Governor during Sir William Berkeley's absence in England. Bishop Meade, in his "Old Churches, Ministers, and Families of Virginia," says:

"There is one name on the foregoing list\* to which I must allude as having, at an early period in the history of Virginia, been characterized by a devotion to the welfare of the Church and religion—*that of Kempe*. The name often occurs on the vestry-book of Middlesex County in such a way as to show this. The high esteem in which one of the family was held, is seen from the fact that he was the Governor of the Colony in 1644, and the following extract from the first volume of Hening's Statutes will show not only the religious character of those in authority at that day, but the probability that Governor Kempe sympathized in the movement, for the Governors had great power either to promote or prevent such a measure. In 1644 it was—

'Enacted by the Governor, Council, and Burgesses of this Grand Assembly, for God's glory and the public benefit of the Colony, to the end that God might avert his heavy judgments that are upon us, that the last Wednesday in every month be set apart for fast and humiliation, and that it be wholly dedicated to prayers and preaching, &c.

'RICHARD KEMPE, Esq., Governor.'

"I do not remember ever to have seen such an indefinite and prolonged period appropriated by a public body to public humiliation. It speaks well for the religion of our public functionaries of that day."

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\* Leading families from the earliest to the present times, in the parishes of Abington and Ware.

On Sir William Berkeley's return, Richard Kempe continued to serve the Colony as a member of the Council until 1648, and perhaps later, and subsequently acted as the Secretary of that body.

On a slab in the grave-yard around the old church at Williamsburg, Bruton Parish, Virginia, and lying against the wall of the church in order to preserve it, might be seen, a few years ago, the following :

" Under this marble lyeth the body of Thomas Ludwell, Esquire, Secretary of Va., who was born at Bruton, in the County of Somerset, in the Kingdom of England, and departed this life in the year 1678. And near this lye the bodies of Richard Kempe, Esquire, his predecessor in the Secretary's office, and Sir Thomas Lunsford, Knight. In memory of whom this marble is placed, by order of Philip Ludwell, Esq., nephew of said Thomas Ludwell, in the year 1727."

# XXIX.

## SIR WILLIAM BERKELEY.

*Governor.*

June, 1645, to April 30, 1652.

WHILE the Colony of Virginia was acquiring the management of its own concerns, slowly but surely England was being distracted by a civil war. This war resulted in the dethronement and capture of the King, who was afterwards beheaded in front of his palace at Whitehall, January 30, 1649. Justice was no longer to be administered in the King's name, and the title of the realm was exchanged for that of "The Commonwealth of England." Oliver Cromwell was declared Captain-General of the troops of the state, and afterwards rose to the supreme power, with the title of Protector. During this civil war, Governor Berkeley took the royal side, and Virginia was the last of the English possessions which acknowledged the authority of Cromwell. Two years after Charles I. was beheaded, Parliament sent a fleet to Virginia to compel its submission. Sir William Berkeley was obliged then to surrender to superior power.

Cromwell ruled England for eleven years, during which time peace and prosperity reigned in all the countries under his control. Although Virginia had been forced to submit to his authority, she never gave up her loyalty to the throne of England. She sent a vessel to Flanders, to the son of Charles I., who was in exile there, offering him her support, and inviting him to come to Virginia and set up his throne upon her territory. Charles accepted, and was actually preparing to embark when his subjects in England recalled him to the throne of his fathers. Once established in power, Charles II., in gratitude to Virginia for her loyalty, caused her to be proclaimed an independent member of his empire, which was to

consist of England, Scotland, Ireland, and Virginia, and her coat-of-arms was added to those of the other three countries comprised in his realm. Ever since that time Virginia has retained the title of "The Old Dominion."

Sir William Berkeley was superseded in Virginia by Richard Bennet, April 30, 1652.

# XXX.

## RICHARD BENNET.

*Acting Governor Under the Commonwealth of  
Cromwell.*

April 30, 1652, to March, 1655.

RICHARD BENNET first took part in colonial affairs as Burgess, in October, 1629, from "Warrosquoyeake," which formed one of the eight original shires, in the year 1634. This shire embraced a distance of ninety miles, but its name was soon changed to Isle of Wight, and in 1642 it was divided into two parishes, the upper and lower, or Newport and Warwicksqueake, each extending the full length of the county, or ninety miles.

Under Berkeley's administration, Richard Bennet had been oppressed in Virginia, and he fled to Maryland to escape persecution. From thence he went to London, where, on September 26, 1651, he was chosen as one of the commissioners appointed by the Commonwealth of England to reduce the royal Colony of Virginia to submission. The commissioners were constituted pacificators and benefactors of the country. In case of resistance, war was threatened; if Virginia would adhere to the Commonwealth, she might be the mistress of her own destiny.

The following reports of official papers bearing on this period are taken from Hening's "Statutes at Large," Vol. I.:

### ARTICLES AT THE SURRENDER OF THE COUNTRYE.

*ARTICLES agreed on and concluded at James Cittie in Virginia for the surrendering and settling of that plantation under the obedience and government of the Common Wealth of England, by the commissioners of the Councill of State, by authoritie of the Parliament of England and by the Grand Assembly of the Governour, Councill and Burgesses of that countrey.*

First. It is agreed and consted that the plantation of Virginia, and all the inhabitants thereof, shall be and remaine in due obedience and



subjection to the common wealth of England, according to the lawes there established, And that this submission and subscription bee acknowledged a voluntary act not forced nor constrained by a conquest upon the country, And that they shall have and enjoy such freedoms and priviledges as belong to the free borne people of England, and that the former government by the commissions and instructions be void and null.

2dly. Secondly, that the Grand Assembly as formerly shall convene and transact the affairs of Virginia, wherein nothing is to be acted or done contrarie to the government of the common wealth of England and the lawes there established.

3dly. That there shall be a full and totall remission and indempnitie of all acts, words or writeings done or spoken against the parliament of England in relation of the same.

4thly. That Virginia shall have and enjoy the antient bounds and lymitts granted by the charters of the former Kings, And that we shall seek a new charter from the parliament to the purpose against any that have intrencht upon the rights thereof.

5thly. That all the pattents of land granted vnder the collony seale, by any of the precedent Governours, shall be and remaine in their full force and strength.

6thly. That the priviledge of haveing fiftie acres of land for every person transported in the collony shall continue as formerly granted.

7thly. That the people of Virginia have free trade as the people of England do enjoy to all places and with all nations according to the lawes of that common wealth, And that Virginia shall enjoy all priviledges equall with any English plantations in America.

8thly. That Virginia shall be free from all taxes, customes and impositions whatsoever, and none to be imposed on them without consent of the Grand Assembly, And soe that neither ffortes nor castles bee erected or garrisons maintained without their consent.

9thly. That noe charge shall be required from this countrey in respect of this present ffeet.

10thly. That for the future settlement of the countrey in their due obedience, the engagement shall be tendred to all the inhabitants, according to act of parliament made to that purpose, that all persons who shall refuse to subscribe the said engagement, shall have a yeares time if they please to remove themselves and their estates out of Virginia, and in the meantime during the said yeare to have equall justice as formerly.

11thly. That the vse of the booke of common prayer shall be permitted for one yeare ensueinge with reference to the consent of the major part of the parishes. Provided that those things which relate to kingshipp or that government be not vsed publicquely; and the continuance of ministers in their places, they not misdemeaning themselves: And the payment of their accustomed dues and agreements made with them respectively shall be left as they now stand during this ensueing yeare.

12thly. That no man's cattell shall be questioned, as the companie rules such as have been entrusted with them or have disposed of them without order.

13thly. That all amunition, powder and arms, other then for private vse shall be delivered up, securitie being given to make satisfaction for it.

14thly. That all goods allreadie brought hither by the Dutch or others which are now on shoar shall be free from surprizall.

15thly. That the quittrents granted vnto vs by the late Kinge for seaven yeares bee confirmed.

16thly. That the commissioners for the parliament subscribing these articles engage themselves and the honour of the parliament for the full performance thereof: And that the present Governour and the Councill and the Burgesses do likewise subscribe and engage the whole collony on their parts.

RICH: BENNETT, Seale.

WM. CLAIBORNE, Seale.

EDMOND CURTIS, Seale.

These articles were signed and sealed by the commissioners of the Councill of State for the Common Wealth of England, the twelveth day of March, 1651.

*ARTICLES for the surrendring Virginia to the subjection of the Parliament of the Common Wealth of England agreed vppon by the honourable the Comissioners for the Parliament and the hon'ble, the Governour and Councill of State.*

First. That neither Governour nor councill shall be obliged to take any oath or engagement to the Common-Wealth of England for one whole yeare, And that neither Governor nor Council be censured for praying for or speaking well of the King for one whole yeare in their private houses or neighbouring conference.

2dly. That there be one sent home at the present Governour's choice to give an accept to his Ma'tie of the surrender of his countrey, the present Governour bearing his charges, that is Sir William Berkley.

3dly. That the present Governour, that is Sir William Berkeley, and the Councill shall have leave to sell and dispose of their estates, and to transporte themselves whether they please.

4thly. That the Governour and Councill though they take not the engagement for one whole yeare shall yet have equall and free justice in all courts of Virginia until the expiration of one whole yeare.

5thly. That all the Governour's and Councill's land and houses, and whatsoever belongeth to them bee perticularly secured and provided for in these articles.

6thly. That all debts of the Governour's by act of Assembly, and all debts due to officers made by the Assembly bee perfectly made good to them. And that the Governour be paid out of the goods remaining in the

countrey of the Dutch ship that went away cleer for Holland without paying his customs.

7thly. That the Governour may have free leave to hire a shipp for England or Holland to carrie away the Governour's goods, and the Councill's, and what he or they have to transporte for Holland or England without any lett or any molestation of any of the State's shippes att sea or in their rivers or elsewhere by any of the shippes in the common wealth of England whatsoever.

8thly. That the Capt. of the fforte be allowed satisfaction for the building of his house in fforte Island.

9thly. That all persons that are now in this collonie of what quality or condition soever that have served the King here or in England shall be free from all dangers, punishment or mulkt whatsoever, here or elsewhere, and this art'e as all other articles bee in as cleer termes as the learned in the law of arms can express.

10thly. That the same instant that the commissions are resigned, an act of indempnitie and oblivion be issued out vnder the hands and scales of the commissioners for the parliament. And that noe persons in any courte of justice in Virginia be questioned for their opinions given in any causes determined by them.

11thly. That the Governour and Councill shall have their passes to go away from hence in anie shippes in any time within a year: And in case they goe for London or other place in England that they or anie of them shall be free from anie trouble or hindrance of arrest or such like in England, and that they may follow their occasions for the space of six months after their arrivall.

RICH. BENNETT, Seale.

WM. CLAIBORNE, Seale.

EDMOND CURTIS, Seale.

These articles were signed, sealed, sworne vnto by vs the commissioners for the parliament of the common wealth of England, the 12th of March, 1651.

# AN ACT OF INDEMQUITIE MADE ATT THE SURRENDER OF THE CONTREY.

Whereas by the authoritie of the parliament of England, wee the commissioners appointed by the Councill of State authorized thereto having brought a fletee and force before James Cittie in Virginia to reduce that collonie vnder the obedience of the common-wealth of England, and finding force raised by the Governour and countrey to make opposition against the said fleet, whereby assured danger appearinge of the ruine and destruction of the plantation, for prevention whereof the Burgesses of all the severall plantations being called to advise and assist therein, vppon long and serious debate, and in sad contemplation of the grate miseries and certaine destruction, which were soe nearly hovering over this whole

countrey, Wee the said commissioners have thought fitt and condescended and granted to signe and confirme under our hands, seales and by our oath, Articles bearinge date with theise presents. And do further declare, That by the authoritie of the parliament and commonwealth of England derived vnto vs their commissioners, That according to the articles in generall, Wee have granted an act of indempuitie and oblivion to all the inhabitants of this colloney, from all words, actions or writings that have been spoken, acted or writt against the parliament or commonwealth of England or any other person from the beginning of the world to this daye, And this we have done, That all the inhabitants of the collonie may live quietly and securely vnder the comon-wealth of England, And wee do promise that the parliament and common wealth of England shall confirme and make good all those transactions of ours, Wittnes our hands and seales this 12th day of March, 1651.

RICHARD BENNETT, Seale.

WM. CLAIBORNE, Seale.

EDM. CURTIS, Seale.

Richard Bennet had the great satisfaction of benefiting permanently the home of his adoption. Virginia now enjoyed large liberties. "The executive officers became elective, and so evident were the designs of all parties to promote an amicable settlement of the government, that Richard Bennet, himself a Commissioner of the Parliament, and, moreover, a merchant and a Roundhead, was, on the recommendation of the other Commissioners, unanimously chosen Governor." Cromwell never made any appointments for Virginia; not one Governor acted under his commission. When Bennet retired from office, the Assembly elected his successor, and Edward Digges, who had before been chosen of the Council, and who "had given a signal testimony of his fidelity to Virginia and to the Commonwealth of England," received the suffrages.

In 1666 Bennet commanded the militia of three of the four military districts into which Virginia was divided, with the rank of Major-General, and was a member of the Council as late as 1674. He owned the plantations of "Weyanoak" and "Kicotan," on the James River, and has many distinguished descendants in Virginia.

# XXXI.

EDWARD DIGGES.

*President of the Council*

*and*

*Governor*

*Under the Commonwealth of Cromwell.*

March, 1655, to March 13, 1658.

"Att a Grand Assembly Held at James Citty, March 31, 1655, Ordered the Governor and Councill be as followeth: Edward Digges, Esqr., Governor, Coll. Wm. Clayborne, Secretary, and next in Council, etc."

According to Hening, "this is the second election of Governor and Council which appears to have been made since the existence of the Commonwealth in England."

Governor Digges took much interest in the manufacture of silk in the Colony, it being found "the most profitable comoditie for the countrey," and during his term an act was passed for "ten mulberry trees to be planted for every 100 acres of land held in fee-simple, and sufficiently fenced and tended." Later it was enacted "that what person soever shall first make one hundred pounds of wound silke in one yeare within this Colloney, shall in his so doing be paid ffive thousand pounds of tobacco out of the publique levie."

Although the cultivation of this industry was at a later date abandoned, it is said that part of the coronation robe of Charles II. was composed of Virginia silk, sent to him from the Colony. This particular mark of favor from the King was in acknowledgment of the firmness which the Virginians had expressed in the royal cause.

Governor Digges was a younger son of Sir Dudley Digges, of Chilham, County Kent, England, and was born in 1620. He died March 15, 1675, and was buried at his seat, "Bellefield," about eight miles from Williamsburg, Va. His descendants took an active part in the affairs of the Colony for many years.

## XXXII.

### CAPTAIN SAMUEL MATTHEWS.

*President of the Council under the Commonwealth of  
England.*

March 13, 165<sup>§</sup>~~8~~ to January, 1659.

THIS was the third election of Governor and Council during the Commonwealth of England. The Burgesses being elected and returned by the Sheriffs for the several plantations, they proceeded to recite as follows :

March 13th, 1657-8.

Major JOHN SMITH, Speaker.

“Whereas it appeares by act of Assembly held at James Cittie in May, 1652, That it was agreed vpon and thought best by the then commissioners for the parliament, and the Burgesses of the then assembly, That the right of election of all officers of this collony should be and appertaine to the Burgesses, the representatives of the people, Now know yee, That wee the present Burgesses of this Grand Assembly have accordingly constituted and ordained the severall persons vnder written to be the Governour, Councill & Commissioners of this country of Virginia vntil the next Assembly or vntil the further pleasure of the supreme power in England shall be known.

The Honourable SAMUEL MATTHEWS, Esq., Governour and Captain-General of Virginia, etc., etc. ’’\*

The right of electing the Governor, it will be seen, continued to be exercised by the representatives of the people. Samuel Matthews, son of an old planter, was chosen to fill the office. From too exalted ideas of his station, he, with the Council, became involved in an unequal contest with the Assembly by which he had been elected. But it is interesting to observe in the following extracts (taken from Hening’s Statutes at Large, Vol. 1.) how the spirit of popular liberty

\* See Hening’s Statutes at Large, Vol. I., pp. 431-2.

established all its claims and that "the House of Burgesses" had a complete triumph.\*

James City, April the 1st, 1658.

The Governour and Councill for many important causes do think fitt hereby to declare, That they do now dissolve this present Assembly. And that the Speaker accordingly do dismiss the Burgesses.

SAMUEL MATTHEWES.

W. Claiborne.

Subscribed,

Thomas Pettus,

Obedience Robins,

John Walker,

Geo: Reade,

William Bernard.

Henry Perry,

Nathaniel Bacon,

Ffrancis Willis.

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The Answer of the Burgesses to the declaration  
of the Honourable Governour and Coun-  
cill.

The House humbly presenteth, That the said dissolution as the case now standeth is not presidentall neither legall according to the lawes, now in force, Therefore wee humbly desire a revocation of the said declaration, especially seeing wee doubt not but speedily to finish the present affaires to the satisfaction of your honour and the whole country.

Subscribed,

JOHN SMITH, Speaker.

Vpon which transactions being but three monthes  
absente, It was voted vnanimously, That no Burgesse  
and if any shall depart, That he shall be censured as a person betraying  
the trust reposed in him by his country, And the remaining to act in all  
things and to all intents and purposes as a whole and entire house, And  
ffurther, That Mr. Speaker signe nothing without the consent of the  
major part of the house. (worne out)

Voted further, That an oath of secresy be administred to the Burgesses  
which was done as followeth:

The Oath.

You shall sweare that as a Burgesse of this House you shall not either  
directly or indirectly repeate nor discover the present or future transac-  
tions, debates or discourses that are now or hereafter shall be transacted or  
debated on in the House to any person or persons whatsoever except to a  
Burgesse of this Assembly now present dureing the time of this present  
session. So help you God and the contents of this Booke.

This oath taken by all the Burgesses present.

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\* Hening refers this contest to the session of March, 1657-8.

The reply of the honourable the Governour  
and Council.

Vpon your assurance of a speedy issue to conclude the acts so near  
brought to a confirmation in this Assembly, wee are willing to come to a  
speedy conclusion, And to referre the dispute of the power of dissolving and  
the legality thereof to his Highnesse, the Lord Protector:

Subscribed,

SAMUELL MATHEWES.

Wm. Claiborne, Sec.

Ja: Cittie, April 2d, 1658.

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The Answer of the Burgesses.

The House is vnanimously of opinion that the answer returned is  
vnsatisfactory, and desire with as much earnestnes as the honourable  
Governour and Council have expressed, a speedy dispatch, and propose  
That the Governour and Council please to declare.

The House remains vndissolved that a speedy period may be putt to  
the publique affaires.

Subscribed,

JOHN SMITH, Speaker.

James, Ap: the 2d, 1658.

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The Reply of the Governour and Council.

Vpon your promise received of the speedy and happy conclusion, wee  
revoke the declaration for the dissolution of the Assembly, and referre the  
dispute of the power of dissolving and the legality thereof to his Highnesse  
the Lord Protector.

Subscribed,

SAMUELL MATHEWES.

Wm. Claiborne, Sec.

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The House vnsatisfied with these answers, appointed a comittee to  
draw vp a report for manifestation and vindication of the Assembly's  
power which after presentation to the House to be sent to the Governour  
and Council. These vnderwritten being appointed the comittee:

Coll. John Carter, Mr. Warham Horsmendon, Coll. John Sidney,  
Lev't Coll. Thomas Swann, Major Richard Webster, Mr. Jerom Ham,  
Capt. Wm. Michell.

The same comittee is by the House impowered to draw vp all such  
propositions as any way tend to or concerne the settling the present affaires  
of the country and government.

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The Report of the Committee nominated for  
vindication and manifestation of the As-  
semblies power.

Wee have considered the present constitution of the government



of Virginia and do propose, That wee find by the records The present power of government to reside in such persons as shall be impowered by the Burgesses (the representatives of the people) who are not dissolvable by any power now extant in Virginia, but the House of Burgesses.

They humbly thinke fitt that the House do propose,

Samuel Mathewes, Esquire, to remaine Governour and Capt. Gen'll of Virginia, with the full powers of that trust, And that a Councill be nominated, appointed and confirmed by the present Burgesses convened, with the assistance of the Governour for his advice.

Vpon which Report was drawne vp this Declaration.

The Burgesses takeing into consideration the many letts and obstructions in the affaires of this Assembly and conceiving that some persons of the present councill endeavour by setting vp their own power to destroy the apparent power resident only in the burgesses, representatives of the people, as is manifest by the records of the Assembly:

Wee the said Burgesses do declare, That we have in our selves the full power of the election and appointment of all officers in this country vntill such time as wee shall have order to the contrary from the supreme power in England; All which is evident vpon the Assembly records.

And for the better manifestation thereof and the present dispatch of the affaires of this countrey we declare as followeth:

That wee are not dissolvable by any power yet extant in Virginia but our owne; That all former election of Governour and Councill be void and null; That the power of governour for the future shall be conferred on Coll. Samuell Mathewes, Esq. who by vs shall be invested with all the just rights and priviledges belonging to the Governour and Capt. Generall of Virginia, and that a councill shall be nominated, appointed and confirmed by the present burgesses convened (with the advice of the Governour for his assistance); And that for the future none bee admitted a councillor but such who shall be nominated, appointed and confirmed by the house of Burgesses as aforesaid, vntill further order from the supream power in England.

Subscribed,

JOHN SMITH, Speaker.

By the Grand Assembly.

These are in the name of his Highnesse the Lord Protector to will and require you not to act or execute any warrant, precept or command directed to you from any other power or person then the Speaker of this hon'ble. House, whose commands you are hereby required to obey and not to decline therefrom vntill further order from vs the Burgesses of this

present Grand Assembly, hereof faile not as you will answer the contrary at your perill. Given 2d. Apr. 58.

Signed

JOHN SMITH, Speak'r.

Directed to Capt. Robert Ellison, High Sheriff of James City County and Serjeant at Armes for this present Grand Assembly.

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It is ordered, That whereas the supream power of this country of Virginia is by this Grand Assembly declared to be resident in the Burghesses, the representatives of the people, That in reference and obedience thereto Coll. William Claiborne, late secretarie of state, forthwith surrender and deliver the records of the country into the hands of the Speaker of this present Grand Assembly.

Coll. Claiborne being sent for by the sergeant at armes, there was drawn vp the next ensueing order.

Whereas it hath been ordered by this present Grand Assembly, That Coll. William Claiborne late secretarie of state should deliver, vpon oath, all the records concerning this country of Virginia or any perticular member thereof vnto this Grand Assembly, These are to impower & authorize Coll. John Carter and Mr. Warham Horsmenden to receive the same in the name and behalfe of the aforesaid Grand Assembly, and for such records as they shall receive to give the said Coll. Claiborne a full receipt and discharge.

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April the 3d, 1658.

The comitte appointed for manifestation of the countreys power did this day by order of the house present to the Governor the forme of the oath to be taken by him and the Councill, which by him was approved and a list of those he desired to be of his councill presented by him to the house.

#### The Oath.

I doe sweare that as Governour and Capt. Gen'll of Virginia, I will, from time to time to the best of my vnderstanding and conscience deliver my opinion in all cases for the good and wellfare of this plantation of Virginia, And I do also swear that as a minister of justice in Virginia, I will, to the best of my judgement and conscience, do equall right and justice vnto all persons in all causes when I shall bee therevnto called according to the knowne laws of England or acts of Assembly which are or shall be in force for the time being without favour, affection, partiality or malice or any by respect whatsoever; Neither will I, directly or indirectly give councill or advice in any cause depending before me. So help me God.

The names of the Councillors nominated by  
the Governour and approved by the House.

S: Coll. Samuel Mathewes, Esq'r Governour and Capt. Gen'll of Virginia.

Richard Bennett

Coll. John West

S: Coll. Wm. Claiborne,  
Secretary of State

S: Coll. Tho's Pettus

Coll. Hill

S: Coll. Obedience Robins

S: Coll. Thomas Dew

Capt. Henry Perry

S: Coll. Wm. Bernard

Le'tt Coll. John Walker.

S: Coll. George Reade.

Coll. Abraham Wood.

Coll. John Carter.

Mr. Warham Horsmenden.

Le'tt Coll. Anto. Ellyotte.

These 3 last not to be sworne vntill the dissolution of the Assembly.

These marked in the margent with the letter S: where then sworne  
in the forme expressed, their titles onely changed.

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At a Grand Assembly held at James Cittie,  
March 7, 1658-9.

#### Act I.

It is enacted and confirmed by the Governour, Council and Burgesses of this present Grand Assembly, That the honourable Coll. Samuel Mathews, Esquire, Bee the Governour and Capt. Gennerrall of Virginia for two yeeres ensuing, and then the Grand Assembly to elect a Governour as they shall think fitt, the person elect being then one of the Councill; And it is further enacted, That the present Councill shall be the Councill of State, the Assembly reserveing to themselves a just exception against any one perticular Councillor: But for the future the Councillors to be fixt dureing life except in case of high misdemanors, And of this the Grand Assembly to be the onely judge, *And it is moreover ordained by the authoritie aforesaid*, That the Governour shall have priviledge to nominate the future councillors, and the Burgesses according to their discretion to elect, And this act to be of force vntil his Highness pleasure be further signified.

On the 3d of September, 1658, the great Cromwell died. He passed away "peaceably in his bed at his palace of Whitehall, and was buried with more than regal pomp in the sepulchre of our monarchs."

Cromwell was one whom even his enemies cannot name without acknowledging his greatness. The farmer of Huntingdon, accustomed only to rural occupations, unnoticed till he was more than forty years old, engaged in no higher plots than how to improve the returns of his land and fill his orchard with choice fruit, of a sudden became the best officer in the British army, and the greatest statesman of his time; subverted the English constitution, which had been the work of centuries; held in his own grasp the liberties which formed a part of the nature of the English people, and cast the kingdoms into a new mould. Religious peace, such as England till now has never again seen, flourished under his calm mediation; justice found its way even among the remotest Highlands of Scotland; commerce filled the English marts with prosperous activity; his fleets rode triumphant in the West Indies; Nova Scotia submitted to his orders without a struggle; the Dutch begged of him for peace as for a boon; Louis XIV. was humiliated; the Protestants of Piedmont breathed their prayers in security. His squadron made sure of Jamaica; he had strong thoughts of Hispaniola and Cuba; and, to use his own words, resolved "to strive with the Spaniard for the mastery of all those seas." The glory of the English was spread throughout the world. "Under the tropic was their language spoke."—*Bancroft*.

Unmolested by Cromwell in internal affairs, during the Protectorate, "the People of Virginia" had really governed themselves. Tranquility and a rapid increase of population promised a permanent existence to the Colony, and life was sweetened and industry quickened by the enjoyment of equal franchises. Every officer in the government was chosen, directly or indirectly, by the people.

Gov. Matthews filled his position with honesty and ability, and was greatly regretted when he died, in January, 1659. He was succeeded by Sir William Berkeley.

# XXXIII.

## SIR WILLIAM BERKELEY.

*Governor.*

March 13, 1659-60, to April 30, 1661.

VIRGINIA had now so nearly completed her institutions that until her final separation from England she made little further advance towards freedom. The love of liberty had grown in the hearts and lives of the colonists, and the struggling band had increased and flourished as they felt "the glorious privilege of being independent." The country for which they had suffered so much had become dear to them. It was theirs through famine, pestilence, and the sword—wrested from the grasp of no common foe, and bought by the blood of no common sacrifice.

Thus, at the advent of Sir William Berkeley again to office, the Colony was estimated from eight to twelve thousand in population, growing rich, free, and in favor with the world.

It is said by Hening that no portion of the history of Virginia has been so palpably misunderstood as that which relates to the re-appointment of Sir William Berkeley at this time. Colonel Samuel Matthews having died in January, 1659, the next Assembly, which sat on the 13th of March, 1659-60, elected Sir William Berkeley, Governor. The Governors of Virginia during the Commonwealth of England were all elected *by the House of Burgesses*, and it was not until after the Restoration, which took place May 29, 1660, that the word "King" or "Majesty" occurred in the proceedings of the Assembly. "Att a Grand Assemblie held at James Cittie in Virginia, the 11th Oct., 1660, these orders following were made in the Government of The Right Hon. Sir William Berkeley, his Majesties Governor," etc.

Berkeley had been re-elected Governor by the Assembly

in Virginia on March 13, 1659-60, and was commissioned to act by Charles II., July 31, 1660.

The Navigation Act having made the colonists uneasy as to a violation of their rights, they sent Governor Berkeley to England to protest against its enforcement.

“ By the Grand Assembly held at James City  
March 23, 1660-1. Act I.

“ Whereas the necessity of the country being in danger of the oppression company and the losse of our liberties for want of such an agent in England as is able to oppose the invaders of our freedoms and truly to represent our condition to his sacred majestic enforceth the employing a person of quality to present our grievances to his majesty's gracious consideration and endeavour the redresse which the right honorable Sir William Berkeley his majestyes governor hath been pleased to undertake. *Bee itt therefore enacted* that there be raysed by the country the some of two hundred thousand pounds of tobacco and cask for his the said Sir William Berkeley's support in his voyage ; and that payment be made thereof by the 20th of January in Yorke river and James river to such persons as his honor shall appoint and that the secretary of state and speaker of the assembly signe a manifesto to the governor of the country's engagement for payment thereof.” \*

Whilst Governor Berkeley was absent on this mission, Colonel Francis Moryson was elected by the Council to be Governor and Captain-General of Virginia.

During the Commonwealth of England there were *four* Governors appointed under the provisional government of Virginia, viz.: Richard Bennet, April, 1652 ; Edward Digges, March, 1655 ; Samuel Matthews, March, 1657-8.

Samuel Matthews was elected March, 1657-8, and at the same session, a contest arising between the Governor and Council and the House of Burgesses, as to the constitutional power of dissolving the Assembly, the Burgesses declared all former elections of Governor and Council void and null, but, immediately after, re-elected Matthews. By the first act of March, 1658-9 Matthews was again elected, and by the second act of March, 1659-60, Sir William Berkeley was re-elected by the Assembly in Virginia, and was commissioned by Charles II., July 31, 1660. Thus the power to appoint the Governors reverted to the Crown of England.

\*Hening's Statutes at Large, Vol. II., page 17.

## XXXIV.

### COLONEL FRANCIS MORYSON, OR MORRISON.

*Deputy or Lieutenant-Governor.*

March 23, 1661, to December 23, 1662.

COLONEL MORYSON had arrived in the Colony in the autumn of 1649. He was a loyalist and as such received a warm welcome from Sir William Berkeley, who, it is said, gave Moryson the command of the fort at Point Comfort. He became a member of the Council, was Speaker of the House of Burgesses in 1656, and was finally selected Deputy-Governor during Sir William Berkeley's absence in England.

During Colonel Moryson's term of office, at a Grand Assembly held at James City, March 23, 1661-62, the whole body of the laws of the Colony was reviewed and a copy sent to England to Sir William Berkeley, "to procure his Majesty's royal confirmation." These Acts, numbering 142, began with the following:

#### Act I.

"*Bee itt enacted*, for the advancement of Gods glory, and the more decent celebration of his divine ordinances, that there be a church decently built in each parish of this country, unles any parish as now settled by reason of the fewnes or pöverty of the inhabitants be incapable of sustentyning soe greate a charge, in which case it is enacted that such parishes shall be joyned to the next greate parish, of the same county, and that a chappell of ease be built, in such places, at the particular charge of that place."

Thus it will be seen that all through the history of the early settlement of this country a reverence for the Church is constantly recognized, and though this "outward and visible sign" may not always have evidenced "an inward and spiritual grace," still it is edifying to observe that God was

acknowledged *first* in all the temporal affairs of the first Virginians. Bishop Meade relates, in connection with the Parish of James City, that there exists in the Library of the Theological Seminary of Virginia "a large silver chalice and paten, with the inscription on each,

"Ex Dono Jacobi Morrison Armigeri A D 1661."

Also a silver alms-basin with the inscription, "For the use of James City Parish Church." It is an interesting speculation as to whether Governor Moryson had any connection with these gifts.

Colonel Moryson, at the expiration of his term as Governor, was sent to England as the agent of the Colony, with an annual salary of £200. Whether he ever returned to Virginia is not recorded, but he left substantial tokens with the people he had served, of great fidelity to their welfare.



# XXXV.

## SIR WILLIAM BERKELEY.

*Governor.*

December 23, 1662, to April 27, 1677.

Att a Grand Assemblie, Holden at James Cittie by prorogation from the twentie third of March, 1660, to the twentie third of March 1661; and thence to the twentie third of December 1662, in the fourteenth year of the raigne of our soveraigne Lord, Charles the Second, by the grace of God, of England, Scotland, France and Ireland, King, defender of the faith, etc. To the glorie of Almighty God and the publique good of this his Majesties colonie of Virginia:

These following acts were made and established.

The Honorable Sir William Berkeley  
Knt. Govenor.\*

By the foregoing it will be seen that Governor Berkeley now entered upon his fourth term of office in Virginia. He had fostered the Colony in its infancy, and during his rule, though it had seen many changes, it had steadily advanced in the path of prosperity. But clouds were rising to burst in fury on the venerable Governor's path. The low price of tobacco, and the ill-treatment of the planters in the exchange of goods for it; the splitting of the Colony into proprietaries, contrary to the original charters, the heavy restraints and burdens laid upon their trade by Act of Parliament, and last, though not least, the troubles with the unsleeping Indian foe; all these wrongs stirred the souls of many Virginia Fathers, who were soon to show their discontent in that historic period known as "Bacon's Rebellion." This suffering time, which cost much blood and treasure, which broke up the local government for a time, and laid the first-born city

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\* Hening's Statutes at Large, Vol. II., p. 163.

of the Western Wild in ashes, was in the end a blessing to the people. Nathaniel Bacon perished, but not before he had, by valor unsurpassed, defied tyrannic power and destroyed forever, the Indian Empire in Virginia.

"Bacon's Quarter Branch" and "Bloody Run" have their own imperishable story.

But around the death of Nathaniel Bacon mystery has always hung. No circumstantial details of the event have been preserved, and though historians have ascribed his untimely "taking off" to cold and great fatigue from arduous duties, still there has ever lurked suspicion that he fell by the hand of an assassin employed by the government. When we consider the instructions of the King to Governor Berkeley, that Bacon was to be taken *at all hazards*, that both force and *design* were to be employed, it gives a terrible significance to the following words, Act I., General Assemblée, June 8, 1680: "until it pleased the Almighty to send him, the said Bacon, *an infamous and exemplary death.*" \*

There were two persons living at this time who bore the name of Nathaniel Bacon. The elder was a friend and follower of Governor Berkeley; the younger was the heroic spirit who headed the Rebellion. These two men were cousins, but this did not prevent the *elder* Bacon from persecuting to "the bitter end" the men whom he termed "rebels."

Yet more bloody than Bloody Run was Berkeley's vengeance upon the men who had driven him from his citadel a refugee and had refused obedience to his arbitrary laws. His thirst for blood increased with what it fed on, and in the language of an ancient Burgess, "He would have hanged half the country if he had been let alone." The King himself, horrified at the cruelty of Berkeley, exclaimed, "That old fool has hanged more men in that naked country than I have done here for the murder of my father."

So closed in deep dishonor a career which opened with such fair promises of usefulness and virtuous example. Berkeley had been loved and venerated for many years, but he was not

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\* Hening's Statutes at Large, Vol. II., p. 460.

born for trial, and when the supreme hour broke upon him he greatly fell!

Scorned and execrated in Virginia, he turned to his King and to his native land for recognition and for favor. The one refused him admittance to the Court, and in the other was no one found to do the old man reverence. Crushed, yet proud, he turned aside to lay him down and die. Let us devoutly hope, that standing before the Great and Last Tribunal, he met with Divine compassion, even though when "clothed with a little, brief authority" upon earth he had been unmindful of the sweet promise to the merciful, and had forgotten that gentlest Virtue, which

"becomes

The throned monarch better than his crown."

## XXXVI.

### SIR HERBERT JEFFRIES.

*Lieutenant-Governor.*

April 27, 1677, to December 30, 1678.

SIR HERBERT JEFFRIES was appointed Lieutenant-Governor of Virginia, and one of the commissioners for inquiring into the state of the Colony, in 1676. He assumed the administration on the return of Sir William Berkeley to England, and exerted himself wisely and well to restore peace to a distracted country. He made a treaty with the Indians of the West, by which each town agreed to pay three arrows for their land and twenty beaver skins annually for protection. But Jeffries did not live to see the accomplishment of his judicious plans. He died in 1678, when the government devolved upon Sir Henry Chicheley.

It is a matter of interest to note that the last Assembly held by Governor Berkeley "Begunne at Green Spring," and that the Grand Assembly, held by Governor Jeffries, Oct. 10, 1677, "Begunne at Middle Plantation, Att the house of Capt. Otho Thorpe."

Green Spring was Governor Berkeley's residence, which he had built himself only a few miles from James City, and Middle Plantation was afterwards called Williamsburg. This change of venue was of course the result of the burning of James City.

# XXXVII.

## SIR HENRY CHICHELEY.

*Deputy-Governor.*

December 30, 1678, to May 10, 1680.

IN the year 1666 the vestry of Lancaster Parish, Virginia, agreed to build a church about midway the parish, to be called Christ Church, the glass and iron to be gotten from England. Here Sir Henry Chicheley served as vestryman, and here his mortal part was buried. Says Bishop Meade, in 1872 :

“And what has become of the old Mother Church—the Great Church, as she is styled in her journal—standing in view of the wide Rappahannock, midway between Rosegill and Brandon? More perhaps than fifty years ago it was deserted. Its roof decayed and fell in. Everything within it returned to its native dust. But nature abhors a vacuum. A sycamore tree sprang up within its walls. All know the rapidity of that tree’s growth. It filled the void. Its boughs soon rose above and overspread the walls. In the year 1840, when it pleased God to put it into the hearts of some, in whom the spirit of old Virginia Episcopalians still remained, to seek the revival of the Church’s dry bones in Middlesex, that huge, overspreading tree must first be removed piece-meal from the house, and the rich mould of fifty years’ accumulation, to the depth of two feet, must be dug up before the chancel floor and the stone aisles could be reached. The walls—faithful workmanship of other days—were uninjured, and may still remain while generations of frail modern structures pass away. The house is now one of our best country churches. The graves of our ancestors are all around it. In scattered fragments some of the tombstones lie ; others, too substantial to be broken, too heavy to be borne away, now plainly tell whose remains are protected by them.”

In 1656 Sir Henry Chicheley was a Burgess from Lancaster County, and in 1674 he was a member of the Council. In March, 1676, he was made commander of the forces to be sent against the Indians, but Sir William Berkeley disbanded them before they entered upon duty. Upon the death of Governor Jeffries, Sir Henry Chicheley became Deputy-

Governor, under a commission dated February 28, 1674, and served until the arrival of Lord Culpeper, March 10, 1680; but he continued to act as Deputy-Governor after the arrival of Lord Culpeper, and during his absence from the government, (which was frequently the case) until 1683.

Sir Henry Chicheley took very energetic measures for the protection of the colonists against the encroachments of the Indians, causing that "fower houses for stores or garrisons be erected and built at the heads of the fflower greate rivers," namely, the Potomac, Rappahannock, Mattapony, and James. By these and other measures for the public weal, Sir Henry greatly ingratiated himself in public favor. He died about 1692, and was buried, as before stated, in the "Mother Church," Middlesex County, Virginia.

## XXXVIII.

### THOMAS, LORD CULPEPER.

(BARON OF THORSWAY.)

*Governor and Captain-General.*

May 10, 1680, to September 17, 1683.

ALL accounts agree in describing the situation of Virginia during Lord Culpeper's administration as one of extreme suffering. Charles II. had in 1673, with lavish prodigality, given to two of his favorite courtiers, Lord Culpeper and the Earl of Arlington, "all the dominion of land and water called Virginia, for the term of thirty-one years." This grant gave rise to the 1st Act of September, 1674, for an address to the King on the subject. Three agents were appointed, and the zeal and ability with which they prosecuted their mission deserved a better result. The King consented to a new charter confirming all the essential stipulations insisted on, and twice ordered the instrument to be prepared, but, after empty promises, he eventually gave a "miserable skeleton" containing little more than a declaration of the dependence of the Colony on the Crown of England.

Thus did Charles II. sow the seeds of discontent which finally resulted in the separation of the Colonies from the mother country. This grant to Culpeper was unjust and oppressive, as it included lands which had been long cultivated by others; and, about two years after the patent was issued, he, the better to "put in his thumb, and take out a plum," obtained the appointment of Governor of Virginia for life. As such, he was proclaimed soon after Berkeley's departure. But he remained in England, and not until reproved by the King did he set sail for Virginia; here he arrived early in 1680. Having taken the oath of office at Jamestown, he commenced a course of personal aggrandizement; the Gov-

ernor's salary was doubled; a further grant was made for house rent; perquisites of every kind were sought for and increased; nay, the soldiers of the Colony were defrauded of a part of their pay by an arbitrary change in the value of current coin. He procured an Act of Assembly which "authorized a perpetual export duty of two shillings a hogshead on tobacco, and granted the proceeds for the support of government, to be accounted for, not to the Assembly, but to the King." Besides all this, Lord Culpeper had received an immense grant of land from the King in what is known as the Northern Neck of Virginia, which embraced the territory lying between the Rappahannock and Potomac rivers back as far as the Blue Ridge Mountains. Having employed his time profitably for himself, and balefully for Virginia, from May until August, he then returned to England to enjoy the fruits of his labors, and left Sir Henry Chicheley as Deputy-Governor of the Colony. After Culpeper's departure, discontent grew widespread among the planters at a law that had been passed, *compelling* them to load their tobacco at certain specified places along the river banks. For many years Jamestown was the only town in the Colony, and after it was burned there was a great necessity for some fixed places of trade. In order to secure the building of towns this Act was passed. But the planters, accustomed now to load the vessels at their own plantations, resisted the measure, and in Gloucester County some of them actually destroyed their entire crop, rather than be pressed to dispose of it in a way that was contrary to their wishes. Others followed their example and open rebellion to the law was threatened. The King compelled Lord Culpeper to return to Virginia, and he, vexed at leaving the pleasures of London, determined to make short work of the difficulty. He soon filled the jails with prisoners, hung six men for this trifling offence, proclaimed the *penalty of death* against all "plant cutters," and, by this cruel course, ended the Tobacco Rebellion. Culpeper returned to England, September 17, 1683, and left Nicholas Spencer as the executive of the Colony.

For this second breach of faith in quitting his government,



in violation of orders, he was arrested immediately on his arrival in England. His patent was for life, but it was rendered void by a process of law, not so much from regard to colonial liberties as to recover a prerogative for the Crown. On July 25, 1684, Virginia became again a royal province.

As an evidence of Lord Culpeper's hostility to the introduction of printing into the Colony, the following extract is made from a MS. of unquestionable authority :

"Feb. 21st, 1682. John Buckner called before the Lord Culpeper and his council for printing the laws of 1680, without his Excellencie's licence, and he and the printer ordered to enter into bond in £100, *not to print anything* thereafter until his Majestie's pleasure should be known."\*

This step rivals Sir William Berkeley's views, who thought that the more profoundly ignorant the colonists were kept, the better subjects they were for slavery.

Lord Culpeper died in 1719, and left not a very fragrant memory in the Ancient Dominion.

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\*Bland MS., Ga., 498.

# XXXIX.

## NICHOLAS SPENCER.

### *President of the Council.*

September 17, 1683, to April 16, 1684.

UPON the departure of Lord Culpeper for England, he appointed Nicholas Spencer, President of the Council. The first patent signed by Nicholas Spencer, as President, is dated the 17th of September, 1683. He continued in office until the 16th of April, 1684, on which day a commission to Francis, Lord Howard, dated 28th September, 35 Car. 11 (1683), was read.

Nicholas Spencer was said to have been a kinsman of Lord Culpeper. In June, 1666, he was a member of the House of Burgesses, and in October, 1686, he was Secretary of the Colony, which in 1681 contained about 14,000 "tithables, or working hands," and the House of Burgesses consisted of forty-one members. At this time it was said in relation to the Indians and Tobacco: "We are at peace with all; at least, in war with none. But that which bids fair to be the speedy and certain undoing of this Colony, is the low or rather no price of the only product of our lands, and our only commodity, tobacco; for the market is overstocked and every crop overstocks it more. Our thriving is our undoing, and our buying of blacks hath extremely contributed thereto, by making more tobacco. We are too many for that, and too few for anything else."

# XL.

## FRANCIS, LORD HOWARD.

(BARON EFFINGHAM.)

*Lieutenant-Governor.*

April 16, 1684, to October 20, 1688.

LORD EFFINGHAM opened his career in Virginia with instructions from England "to allow no person to use a printing press on any occasion whatsoever." This was "agreeably to the prayers of Sir W. Berkeley." Being equally as avaricious as Lord Culpeper, he soon, by his overbearing measures, made himself generally detested. Trouble with the Indians again assailing the tranquility of the Colony, Lord Effingham went to Albany, and there, with the Governor of New York, met the chiefs of the Five Nations and effected with them a Treaty of Peace. These Five Nations, the Oneidas, Onondagos, Cayugas, Mohawks, and Senecas, had absorbed all the other Indians in the country, and formed a very powerful combination.

During Effingham's absence in New York, Nathaniel Bacon, Senior, President of the Council, assumed his duties. "Lord Howard was not present in the General Court after 22d April, 1687, and then, Nathaniel Bacon was President; but Lord Howard did not leave the country, for he signed patents till 20th October, 1688." At this time he embarked for England, being recalled at the request of the colonists. His course in Virginia had been cruel and tyrannical, and he perverted the noble opportunities of his position to personal emolument and benefit. He was the son and heir of Sir Charles Howard, and succeeded to his title in 1681. He died in England in 1694.

# XLI.

## NATHANIEL BACON.

### *President of the Council.*

October 20, 1688, to October 16, 1690.

“NATHANIEL BACON, a near kinsman of him who was called ‘The Rebel,’ and who was high in office during the period of the rebellion, as he was before and after, married Elizabeth, daughter and heiress of Richard Kingswell, of James City County. His residence was on King’s Creek, near York River and not far from Williamsburg.” Near the bank of this river, on a tombstone, the following inscription may be seen, viz.: “Here lyeth the body of Elizabeth, wife of the Honourable Nathaniel Bacon, who departed this life the second day of November, one thousand six hundred and ninety-one, in the sixty-seventh year of her age.” Nathaniel Bacon’s tombstone is said by Bishop Meade to lie “in a field on Dr. Tinsley’s farm,” near Williamsburg, at which point it is supposed that Bacon had another residence. Nathaniel Bacon was long prominent in public affairs, having been among other offices of trust, a member of the Council for over forty years. When Lord Effingham returned to England in October, 1688, Bacon, as President of the Council, became the Acting Governor of Virginia, until the arrival of Francis Nicholson, October 16, 1690.

Bacon must have been active in Church as well as State, as it was announced in the Virginia Gazette for March, 1746, that the *plate* given by Colonel Nathaniel Bacon to York-Hampton parish had been stolen. Hening narrates that “Nathaniel Bacon continued President all April Court 1690: and the 16th of October, 1690, Francis Nicholson, Esquire, Lieutenant-Governor, was present.”

Many changes meanwhile had taken place in England. Charles II. died on the 16th February, 1685, and was succeeded by his brother, James II. King James II. abdicated the throne, 23d December, 1688, and William, Prince of Orange, and Mary, the daughter of James, were proclaimed Joint-sovereigns of England.

It was during the short presidency of Colonel Bacon, that the project for a college was first agreed upon and approved by the President and Council of Virginia, and the charter was granted on the 8th February, 1692, in the fourth year of the reign of William and Mary. This venerable institution of learning, called in honor of them, has ever since been interwoven with the annals of Virginia. Nathaniel Bacon died March 16, 1693, and as he left no children bequeathed his estate to his niece, Abigail Smith, who married Major Lewis Burwell.

## XLII.

### SIR FRANCIS NICHOLSON.

#### *Lieutenant-Governor.*

October 16, 1690, to October 16, 1693.

ALTHOUGH Effingham had been recalled to England, October 20, 1688, Nicholson was appointed Lieutenant-Governor *under him*, and in such capacity arrived in the Colony in 1690. In this same year the name of Sir Lionel Copley appears as Governor of Virginia. This, however, is not substantiated, though we know that Sir Lionel arrived in 1692 in Maryland with a royal commission, during the Catholic and Protestant troubles there. He dissolved the convention, assumed the government, convened an Assembly, whose first act was to recognize as Sovereigns, William and Mary of England.

Sir Francis Nicholson, having relieved President Nathaniel Bacon in Virginia, held the reins of government until October 16, 1693, when he was, in his turn, relieved by Sir Edmund Andros, Governor-in-Chief. Nicholson was by profession a soldier, and had been Lieutenant-Governor of New York under Andros, and at the head of the administration from 1687 to 1689. During the early part of his administration in Virginia he was very popular, as he endeavored to ingratiate himself in public favor. He instituted athletic games, and offered prizes in riding, running, shooting, wrestling, and fencing. He also proposed the establishment of a post-office, and had the great honor of securing the charter of the first college in the oldest Colony in the New World. The preamble states that "to the end that the Church of Virginia may be furnished with a Seminary of Ministers of the Gospel, and that the youth may be piously educated in good letters and manners, and that the Christian Faith may be propagated

among the Western Indians, to the glory of Almighty God," etc.

Francis Nicholson and seventeen other persons, nominated and appointed by the Assembly, were confirmed as Trustees, etc. In grateful acknowledgment of the royal patronage and benefaction, the college was called "William and Mary."

## XLIII.

### SIR EDMUND ANDROS.

#### *Governor.*

October 16, 1693, to December 9, 1698.

LORD EFFINGHAM being removed from the government of Virginia, Sir Edmund Andros, of obnoxious memory in New England, was appointed Governor in his stead. Andros is generally accepted as having been *not* a bad Governor for Virginia, but in consideration of his previous lawless career in New England, his advancement occasioned the amazement of the public. He was born in London, December 6, 1637, and arrived in the Colony of Virginia, October 16, 1693. He had been, at an earlier period, appointed Governor of New York, in 1674, and continued in that office until 1682. In December, 1686, he arrived at Boston with a commission from King James for the government of New England. Here his administration was most tyrannical and oppressive. The press was restrained, and exorbitant taxes levied. It was pretended that all titles to land were destroyed, and the farmers were obliged to take new patents, for which they paid large fees. He prohibited marriage unless celebrated by Ministers of the Church of England, and at that time there was said to be but one Episcopal clergyman in the country; and by this and various other acts of lawless usurpation, he inflamed the spirits of the people whom he governed. Animated with the love of liberty which they had bought in the wilds of America, on the morning of April 18, 1689, the inhabitants of Boston took up arms. The people poured in from the country, and the Governor, with about fifty of his obnoxious followers, was seized and confined. The old magistrates were restored, and the next month the joyful news of the Revolution in England reached this country, quieting all apprehensions for



the consequences of what had been done. After having been kept at the castle a prisoner until the February following, Sir Edmund was sent to England for trial. The government failed to censure him, and in 1692 he was appointed Governor of Virginia.

Before he assumed this office, Sir Edmund had seen a good deal of military and civil service in England and in New England, and had, so to speak, "sowed his wild oats" when he took charge of the government of the Ancient Dominion. During his administration, William and Mary College was established, an Act was passed by the General Assembly ascertaining the place for its erection, and also an Act laying an imposition upon "skins and furs" for its better support.

Governor Andros had a great love of order, and to his care the historical inquirer is indebted for the preservation of the early papers of Virginia. He went into the public repositories of official documents, and finding them in confusion—torn, soiled, and neglected—he ordered steps to be taken for their re-arrangement and better preservation. He encouraged manufactures, suggested the cultivation of cotton, and stimulated the life of the Colony by his own eager and industrious spirit. Unhappily, he fell into strife with James Blair, President of William and Mary College, which resulted in the removal of Andros from office.

During the term of Andros, an Act was passed appointing Rangers at the heads of the four great rivers in Virginia. These were to consist of one lieutenant, eleven soldiers, and two Indians, to be well furnished with horses and arms, to be called Rangers, and to be constantly on duty. Also, in 1695, the General Assembly of Virginia passed "An Act empowering the Governor, with the advice of the Councill, to apply five hundred pounds sterling, out of the imposition of liquors, raised by this Assembly, to the assistance and preservation of New York, if found necessary." This step was taken at a time when the peace of New York was threatened by internal dissensions between the Governor and his Assembly, and is an interesting piece of history to recall in the close of the nineteenth century.

Sir Edmund Andros died in London, February, 1714, at an advanced age, and is, perhaps, best recollected in the annals of the United States as the man who demanded, at the head of his troops, the charter of Connecticut, which was hidden from him in the famous oak at Hartford, Conn.

## XLIV.

### GEORGE HAMILTON DOUGLAS.

(EARL OF ORKNEY.)

*Governor-in-Chief.*

1697-1737.

GEORGE HAMILTON, Earl of Orkney, was fifth son of Lord Selkirk. He entered the army early, and distinguished himself at the battle of the Boyne and on other occasions, for which he was raised to the peerage, and created by William III. Earl of Orkney, in consideration of his gallantry. His valor was equally displayed under Marlborough at Blenheim and Malplaquet. In 1697 he was appointed Governor-in-Chief of Virginia, and enjoyed the honor and emoluments of the position for forty years, although the actual conduct of the government was delegated to others. Out of an annual salary of £2000 he received £1200, though he never once set foot upon the soil of Virginia. But he was as great a favorite of Queen Anne as he had been of William III. She bestowed honors upon him, and he served with distinction in the wars of her reign. He was made a Major-General and a Knight of the Thistle, and as one of the sixteen peers of Scotland he was a member of the House of Lords for many years. He married in 1695, Elizabeth, daughter of Sir Edward Villiers, and left descendants. He died January 29, 1737, and was succeeded as Governor-in-Chief of Virginia by the Earl of Albemarle.

## XLV.

### SIR FRANCIS NICHOLSON.

#### *Lieutenant-Governor.*

December 9, 1698, to August 15, 1705.

SIR FRANCIS NICHOLSON, having served a term as Governor of Maryland, was for a second time appointed to the administration of affairs in Virginia. One of his earliest measures was to remove the seat of government from Jamestown to "Middle Plantation," afterwards called, "Williamsburg." An instructive provision in Act II. of his first Assembly, April 27, 1699, reads as follows: "If any money, meat, drink, or provision be given or promised to a voter, in order to be elected, the election declared void." The XIV. Act of this same Assembly was "directing the building the Capitoll and the City of Williamsburg." Governor Nicholson did much to encourage the immigration of settlers. They had a certain quantity of land allotted to them, were to be exempt from taxes or levies for twenty years, and from military service except in their own defense. But in the midst of his plans for the benefit of the Colony he became involved unpleasantly with the clergy, and upon their complaint he was recalled to England, and was succeeded August 15, 1705, by Edward Nott. After this, Nicholson saw some military service; was Governor of Nova Scotia for five years, was knighted, and served as Governor of South Carolina from 1721 to 1725. On his return to England he was made Lieutenant-General. He died in London, March 5, 1728, and his career may be said to have been a distinguished one.

During Governor Nicholson's administration in Virginia, King William III. of England died, in his 52d year, and was succeeded by Anne, Princess of Denmark, daughter of James II.

## XLVI.

### EDWARD NOTT.

#### *Lieutenant-Governor.*

August 15, 1705, to August, 1706.

EDWARD NOTT succeeded Governor Nicholson, and arrived in the Colony in August, 1705. He died in August, 1706, and although he was in office one year only, he enjoyed the esteem and affection of the people in the highest degree. In some measure he was subordinate to the Earl of Orkney, but his official acts were always for the benefit of the Colony over which he presided. In the first year of his government William and Mary College was burnt to the ground. The building was first modeled by Sir Christopher Wren ; it was afterwards rebuilt by the ingenious direction of Governor Spotswood.

During Governor Nott's administration an Act was passed "directing the building an house for the Governor of this Colony and dominion," appropriating land for that purpose, stating dimensions and materials for house, and authorizing the Governor to draw on the Treasurer for the sum of £3000. An Act also was passed at this time, continuing the Act directing the building of the Capitol and City of Williamsburg at Middle Plantation. The specifications of this Act are very interesting, when in the light of later days we review the plans laid for the Capitol of Virginia. Special provision was also made now for the French refugees, whose settlement was above the Falls of James River, and their parish was known as "King William Parish in the County of Henrico."

Virginia in 1703 contained 60,606 souls, not including the French refugees, and it numbered 25 counties. Such had been the outgrowth of the landing of 1606, nearly one hundred years before.

Governor Nott died in Virginia August 23, 1706, and was, buried in the churchyard of Old Bruton Church, in Williamsburg. In the graveyard surrounding the Old Church at Williamsburg, Bruton Parish, Virginia, the following inscription was found on a time-worn slab :

“Under this marble rest y<sup>e</sup> ashes of his excellency, Edward Nott, late Governor of this Colony, who, in his private character, was a good Christian, and in his public, a good Governor. He was a lover of mankind, and bountiful to his friends. By the prudence and justice of his administration he was deservedly esteemed a public blessing while he lived, and when he died it was a public calamity. He departed this life the 23d day of August, 1706, aged 49 years. In grateful remembrance of whose many virtues, the General Assembly of this Colony have erected this monument.”

## XLVII.

EDMUND JENINGS.

*President of the Council.*

August, 1706, to June 23, 1710.

UPON the untimely death of Governor Nott, Edmund Jenings, then President of the Council, succeeded to the administration of the government, and remained in office until the accession of Lieutenant-Governor Spotswood, June 23, 1710. The Colony at this period enjoyed tranquility and increasing prosperity. The safeguard of the liberties of Virginia lay in the individual freedom of mind which was the fruit of independent and somewhat isolated living. In seclusion men thought for themselves, and "pernicious notions, fatal to the royal prerogative, were improving daily." From the time of Bacon's Rebellion, Virginia had known only the undisturbed blessings of peace, and with steady advance she was becoming stronger and stronger in her own individuality.

Governor Jenings was prominent in the affairs of Virginia for many years, first as Attorney-General of the Colony, in 1684, and afterwards in various important positions. He married Frances, daughter of Henry Corbin, and his descendants are among some of the most distinguished families in the Old Dominion,

## XLVIII.

ROBERT HUNTER.

*Lieutenant-Governor.*

April 4, 1707.

ROBERT HUNTER on his voyage to Virginia to assume the reins of government, was captured by the French, who were then at war with England. He was taken a prisoner to Paris, and never acted as executive under this commission. The vellum document conveying his authority is still preserved among the archives of the Virginia Historical Society.

In 1710, Hunter was made Governor of New York, and arrived in that Colony with 2700 expatriated Palatines. He returned to England in 1719, but on the accession of George II. he was re-instated in the government of New York and New Jersey. In 1728 he was appointed Governor of Jamaica, and died there, 31st March, 1734. His epitaph, in elegant Latin, was written by the Rev. Mr. Flemming.

Robert Hunter was the author of the famous "Letter on Enthusiasm," attributed by some to Swift, and by others to Shaftesbury; he also wrote a farce entitled "Androboros."



# XLIX.

## ALEXANDER SPOTSWOOD.

### *Lieutenant-Governor.*

June 23, 1710, to September 27, 1722.

WE now approach a very interesting period in the history of the Virginia Colony. Up to this time, both Governors and people had been content with the territorial restrictions which hostile Indians on the border, and multiplied difficulties at home had enforced. They knew nothing of the country which lay hidden by that billowy range of mountains which ever on the sunset sky would trace suggestions of a great Beyond. It had been a capital maxim of the French in their American policy, to conceal all knowledge of the country between the Appalachian Mountains and the Mississippi River, so that the English knew only such uncertain accounts as had been given by straggling travelers and by Indians. Yet now, the hour had struck when these mountains were no longer to be a barrier to advancing civilization, but rather, "a stepping-stone to higher things." On June 23, 1710, there arrived in the Colony a man whose coming marked a new era in its history. Colonel Alexander Spotswood had been appointed Lieutenant-Governor to George Hamilton, Earl of Orkney, the Governor and Commander-in-Chief of Virginia. He was a man of uncommon enterprise and public spirit, a friend to learning and to religion. He came of a long line of distinguished ancestry and was a noble son of noble sires. His great-grandfather was John Spotswood, Archbishop of St. Andrew's and author of the "History of the Church of Scotland"; his grandfather was Robert Spotswood, Lord President of the College of Justice, and author of the "Præcticks of the Laws of Scotland." Sir Walter Scott narrates that this Robert Spotswood (who was one of the

eight eminent lawyers executed by the Parliament of Scotland, which consisted wholly of Covenanters), while at private prayer on the scaffold, was interrupted by the Presbyterian minister in attendance and asked if he did not desire *his* prayers and those of the people. Sir Robert replied, that he earnestly desired the prayers of the people, but *not* those of the preacher, for that, in his opinion, God had expressed his displeasure against Scotland by sending a lying spirit into the mouths of the prophets. Governor Spotswood's father was Dr. Robert Spotswood, physician to the Governor of Tangier, an English Colony in Africa. His mother was the widow, Catherine Elliott, when she married Dr. Spotswood. The portrait of Mrs. Catherine Elliott's son, General Elliott, now hangs in the State Library at Richmond, Virginia. Alexander Spotswood was the only son of Robert and Catherine Spotswood. He was born in Tangier in 1676; was reared among soldiers and educated for a military life. He became aide to the Duke of Marlborough, and was badly wounded in the breast at the battle of Blenheim. Exchanging, however, now, the hardships and honors of military life in the Old World, for the high position of Lieutenant-Governor of Virginia, he turned the current of his energies to the promotion of her welfare. His soldierly experience and genius enabled him to wield the militia with great effect against the hostile Indians, and his interest in matters civil and religious is evidenced by many acts during his administration.

A number of German Protestants having about this time settled above the Falls of the Rappahannock River, at a place afterwards named Germanna, to the great advantage of the Colony, and the security of the frontiers from the incursions of the Indians, the Assembly passed an Act to exempt them from levies for seven years, and for erecting Germanna into a distinct parish, by the name of "St. George." Here Governor Spotswood established a furnace and built a "Castle," in which he occasionally resided. He endeavored to develop the mineral resources of this section, and the Rev. Hugh Jones, one of the colonial clergy, says:

"Beyond Governor Spotswood's furnace, within view of the vast mountains, he has founded a town called Germanna, from some Germans sent over by Queen Ann, who are now removed up further. Here he has servants and workmen of most handicraft trades, and he is building a church, court house, and dwelling house for himself, and with his servants and negroes he has cleared plantations about it, proposing great encouragement for people to come and settle in that uninhabited part of the world, lately divided into a county."

At this time pig and bar iron were first made in Virginia.

The dangerous extent of the French claims upon the Continent had for a long time attracted the attention of the Colonies. To resist it, was one of the earliest efforts of Spotswood, who hoped to extend the line of the Virginia settlements far enough to the West to interrupt the chain of communication between Canada and the Gulf of Mexico.

In 1716, Governor Spotswood, with some of the first gentlemen in the Colony, led personally an expedition to search for a passage or gap through "the great mountains." Campbell says: "The whole company was about fifty persons. They had a large number of riding and pack-horses, an abundant supply of provisions, and an extraordinary variety of liquors." This gay party of adventurers started from Germanna, and after leisurely advancing through the country reached "Swift Run Gap," which is supposed to be the now historic "pass." Governor Spotswood is said to have cut his Majesty's name upon a rock on the highest mountain they ascended, naming it "Mt. George," and the gentlemen of the party called the peak next to it, in honor of the Governor, "Mt. Spotswood."

What must have been the exultation and the triumph which thrilled the hearts and brains of those explorers as they beheld the goodly heritage which spread before them! At their feet lay an unconquered realm, untrodden and unknown! Here was a time, indeed, to pause and dream of glories "yet to be." Thoughts such as Columbus had in his supreme moment of discovery must have shaken those sturdy forms and filled those wondering eyes with a prophetic meaning. Now, that those visions are realities, that those hopes have faded in fruition; now, that the Atlantic and Pacific surges

wash the shores of *one* country and *one* people, well may we

“Honor the charge they made,”

as this knightly company, breaking through Swift Run Gap, planted their daring standard on the Appalachian Range, and grasped in that momentous hour an imperial hope—

“The baby figure of the giant mass  
Of things to come.”

On this eventful Quest, these cavaliers were compelled to carry a large number of horseshoes, things seldom used in the eastern part of Virginia, where there were few stones. In commemoration of the journey, the Governor on his return presented each of his companions with a golden horseshoe, bearing the inscription, “*Sic juvat transcendere Montes.*” By this he intended to stimulate them to return to this wild region and open the country to future settlers. Any one entitled to wear this golden badge could prove that he belonged to “The Tramontane Order,” and had drunk his Majesty’s health on wild Mt. George. King George, when he heard of the expedition, bestowed upon Governor Spotswood the honors of knighthood, and sent him a golden horseshoe set with jewels. All who took part in this memorable trip were recognized by the title of “The Knight of the Golden Horseshoe.”

The following journal of one of the party on this expedition cannot fail to be of lasting interest. It was written by Mr. John Fontaine, who came to Virginia, in 1713, for the purpose of exploring the country and choosing lands for the settlement of his family. He was an Ensign in the British army, and shows by his journal that he had the indomitable spirit of the British soldier. He made the acquaintance of Governor Spotswood, who no doubt gladly enrolled him in his band of discoverers :

Journal of Mr. Fontaine.

August 27th.—Got our tents in order and our horses shod.

29th.—In the morning we got all things in readiness, and about one we left the German-town, to set out on our intended journey. At five in the afternoon the Governor gave orders to encamp near a small river three miles from Germanna, which we call Expedition Run, and here we

lay all night. The first encampment was called Beverly Camp, in honor of one of the gentlemen of our party. We made great fires, and supped, and drank good punch. By ten of the clock I had taken all of my ounce of Jesuit's bark, but my head was much out of order.

30th.—In the morning about seven of the clock the trumpet sounded to awake all the company, and we got up. One Austin Smith, one of the gentlemen with us, having a fever, returned home. We had lain upon the ground under cover of our tents, and we found by the pains in our bones that we had not had good beds to lie upon. At nine in the morning we sent our servants and baggage forward, and we remained, because two of the Governor's horses had strayed. At half-past two we got the horses, at three we mounted, and at half an hour after four we came up with our baggage at a small river three miles on the way, which we call Mine River, because there was an appearance of a silver mine by it. We made about three miles more, and came to another small river, which is at the foot of a small mountain, so we encamped here and called it Mountain Run, and our camp we called Todd's Camp. We had good pasturage for our horses, and venison in abundance for ourselves, which we roasted before the fire on wooden forks, and so we went to bed in our tents. We made six miles this day.

31st.—At eight in the morning we set out from Mountain Run, and after going five miles we came upon the upper part Rappahannock River. One of the gentlemen and I, we kept out on one side of the company about a mile, to have the better hunting. I saw a deer and shot him from my horse, but the horse threw me a terrible fall and ran away; we ran after him, and with a great deal of difficulty got him again; but we could not find the deer I had shot, and we lost ourselves, and it was two hours before we could come upon the track of our company. About five miles farther we crossed the same river again, and two miles farther we met with a large bear, which one of our company shot, and I got the skin. We killed several deer, and about two miles from the place where we killed the bear we encamped, upon the Rappahannock River. From our encampment we could see the Appalachian Hills very plain. We made large fires, pitched our tents, and cut boughs to lie upon, had good liquor, and at ten we went to sleep. We always kept a sentry at the Governor's door. We called this Smith's Camp. Made this day fourteen miles.

1st September.—At eight we mounted our horses and made the first five miles of our way through a very pleasant plain, which lies where Rappahannock River forks. I saw there the largest timber, the finest and deepest mould, and the best grass that I ever did see. We had some of our baggage put out of order, and our company dismounted, by hornets stinging the horses. This was some hindrance and did a little damage, but afforded a great deal of diversion. We killed three bears this day, which exercised the horses as well as the men. We saw two foxes, but did not pursue them; we killed several deer. About five of the clock we

came to a run of water at the foot of a hill where we pitched our tents. We called the encampment Dr. Robinson's Camp, and the River, Blind Run. We had good pasturage for our horses, and every one was cook for himself. We made our beds with bushes as before. This day we made thirteen miles.

2d.—At nine we were all on horseback, and after riding about five miles we crossed the Rappahannock River almost at the head, where it is very small. We had a rugged way; we passed over a great many small runs of water, some of which were very deep and others very miry. Several of our company were dismounted, some were down with their horses, and some thrown off. We saw a bear running down a tree, but it being Sunday we did not endeavor to kill anything. We encamped at five, by a small river we called White Oak River, and called our camp, Taylor's Camp.

3d.—About eight we were on horseback, and about ten we came to a thicket so tightly laced together that we had a great deal of trouble to get through. Our baggage was injured, our clothes torn all to rags, and the saddles and holsters also torn. About five of the clock we encamped almost at the head of James River, just below the great mountains. We called this camp, Col. Robertson's Camp. We made all this day but eight miles.

4th.—We had two of our men sick with the measles and one of our horses poisoned with a rattlesnake. We took the heaviest of our baggage, our tired horses, and the sick men, and made as convenient a lodge for them as we could, and left people to guard them, and to hunt for them. We had finished this work by twelve, and so we set out. The sides of the mountains were so full of vines and briers, that we were forced to clear most of the way before us. We crossed one of the small mountains on this side the Appalachian, and from the top of it we had a fine view of the plains below. We were obliged to walk up the most of the way, there being abundance of loose stones on the side of the hill. I killed a large rattlesnake here, and the other people killed three more. We made about four miles, and so came to the side of James River where a man may jump over it, and there we pitched our tents. As the people were lighting the fire, there came out of a large log of wood, a prodigious snake, which they killed, so this camp was called Rattlesnake Camp, but otherwise, it was called Brooke's Camp.

5th.—A fair day. At five we were mounted. We were obliged to have axemen to clear the way in some places. We followed the windings of James River, observing that it came from the very top of the mountains. We killed two rattlesnakes during our ascent. In some places it was very steep, in others it was so that we could ride up. About one of the clock we got to the top of the mountain; about four miles and a half and we came to the very head-spring of James River, where it runs no bigger than a man's arm from under a big stone. We drank King

George's health and all the royal family's at the very top of the Appalachian mountains. About a musket-shot from the spring there is another, which rises and runs down to the other side. It goes westward, and we thought we could go down that way, but we met with such prodigious precipices, that we were obliged to return to the top again. We found some trees which had been formerly marked, I suppose by the Northern Indians, and following these trees we found a good, safe descent. Several of the company were for returning, but the Governor persuaded them to continue on. About five, we were down on the other side, and continued our way until about seven miles further, when we came to a large river, by the side of which we encamped. We made this day fourteen miles. I, being somewhat more curious than the rest, went on a high rock on the top of the mountain to see fine prospects, and I lost my gun. We saw when we were over the mountain, the footing of elk and buffaloes and their beds. We saw a vine which bore a sort of wild cucumber, and a shrub with a fruit like unto a currant. We ate very good wild grapes. We called this place Spotswood's Camp, after our Governor.

6th.—We crossed the river, which we called Euphrates. It is very deep; the main course of the water is north; it is fourscore yards wide in the narrowest part. We drank some health on the other side and returned, after which I went a-swimming in it. We could not find any fordable place except the one by which we crossed, and it was deep in several places. I got some grasshoppers and fished, and another and I, we caught a dish of fish, some perch, and a kind of fish they called "chub." The others went a-hunting, and killed deer and turkeys. The Governor had graving irons, but could not grave anything, the stone was so hard. I graved my name on a tree by the river side, and the Governor buried a bottle with a paper enclosed, on which he writ that he took possession of this place, in the name and for King George First of England. We had a good dinner, and after it we got the men together and loaded all their arms, and we drank the King's health in champagne and fired a volley, the Princess's health in Burgundy and fired a volley, and all the rest of the royal family in claret and a volley. We drank the Governor's health and fired another volley. We had several sorts of liquors, viz., Virginia red wine and white wine, Irish usquebaugh, brandy, shrub, two sorts of rum, champagne, canary, cherry punch, water, cider, &c. I sent two of the rangers to look for my gun which I dropped in the mountain; they found it and brought it to me at night, and I gave them a pistol for their trouble. We called the highest mountain "Mount George," and the one we crossed over, "Mount Spotswood."

7th.—At seven in the morning we mounted our horses and parted with the rangers who were to go farther on, and we returned homewards. We repassed the mountains, and at five in the afternoon, we came to Hospital Camp, where we left our sick men and heavy baggage, and we found all things well and safe. We encamped here and called it, Captain Clonder's Camp.

8th.—At nine, we were all on horseback. We saw several bears and deer, and killed some wild turkeys. We encamped at the side of a run and called the place Mason's Camp. We had good forage for our horses, and we lay as usual. Made twenty miles this day.

9th.—We set out at nine of the clock, and before twelve, we saw several bears, and killed three. One of them attacked one of our men that was riding after him, and narrowly missed him; he tore his things that he had behind him from off the horse, and would have destroyed him had he not had immediate help from the other men and our dogs. Some of the dogs suffered severely in this engagement. At two we crossed one of the branches of the Rappahannock River, and at five we encamped on the side of the Rapid Ann, on a tract of land that Mr. Beverly\* hath design to take up. We made this day twenty-three miles, and called this Captain Smith's Camp. We ate part of one of the bears, which tasted very well, and would be good and might pass for veal if one did not know what it was. We were very merry, and diverted ourselves with our adventures.

10th.—At eight we were on horseback, and about ten, as we were going up a small hill, Mr. Beverly and his horse fell down, and they both rolled to the bottom; but there were no bones broken on either side. At twelve, as we were crossing a run of water, Mr. Clonder fell in, so we called this place Clonder's Run. At one we arrived at a large spring, where we dined and drank a bowl of punch. We called this, Fontaine's Spring. About two we got on horse-back, and at four we reached Germanna.

Governor Spotswood is recognized as one of Virginia's wisest Governors, combining many noble virtues with that fine executive ability which gave the best direction to the highest efforts. He it was who pressed the passage of an Act for improving the staple of tobacco and making tobacco-notes the medium of circulation. Being a thorough soldier, he kept the militia in excellent discipline. He was master of mathematics, built the octagon magazine at Williamsburg, which still stands, and rebuilt William and Mary College. At his request, a grant of £1,000 was made by the college in 1718, and a fund created for instructing Indian children in Christianity. A school for this purpose was established at Fort Christiana, on the south side of Meherrin River, in what is now Southampton County. Under his wise leadership, Virginia paid her taxes in tobacco, and alone of all the Colonies had no public debt, no banks, no bills of credit, and

\* Mr. B. Johnson Barbour's title to his beautiful river-farm goes back to Beverly's patent.



no paper money! He urged upon the mother country the policy of establishing a chain of posts beyond the mountains, from the lakes to the Mississippi, to restrain the encroachments of the French, but his voice fell upon a deaf ear, though, years afterwards, his scheme was carried out. The authors of *Universal History* say, that about the year 1716 Governor Spotswood of Virginia proposed to purchase some of the lands belonging to the Outaowais (since called the *Twightees*) on the river Ohio, and to erect a company for opening a trade to the southward, westward, and northward of that river; and that this proposal gave rise to the Ohio Company. "This noble project," they proceed to observe, "clashing with the views of the French, who had by this time formed their great schemes on the Mississippi, and the ministry of George I. having reasons for keeping well with that Court, the scheme was not merely relinquished, but the French were encouraged to build the fort of Crown Point on the territory of New York."

Long after this suggestion of Governor Spotswood, in 1716, after the treaty of Aix-la-Chapelle, October 7, 1748, in the year 1749, some influential persons in Virginia and England associated under the name of "The Ohio Company" and obtained from the Crown a grant of 600,000 acres of land about the Ohio River. This grant alarmed the French as being calculated to prevent the junction of Canada and Louisiana, and was the first link in a chain of causes which produced the ensuing wars between England and France. Had Governor Spotswood's timely warning been listened to, a bloody war might have been averted; but his advice was unheeded by England, and the Colonies had in later times to suffer for this neglected opportunity.

Many and great were the benefits which Governor Spotswood sought to bestow upon the home of his adoption, but, in the midst of his wise and spirited exertions for the advancement of the Colony, he fell into disfavor with the clergy, who effected his removal as Governor, in September, 1722. Possessing a tract of 45,000 acres of land in Spotsylvania County (which was named after him), he retired there

and engaged largely in the manufacture of iron, as the ore largely abounded in this region. In 1730 he was made Deputy Postmaster-General for the American Colonies, and held the office until 1739, and it was he who made Benjamin Franklin postmaster for the province of Pennsylvania. He married in 1724, Anne Butler, daughter of Richard Brayane, Esq., of England, and this lady subsequently married Rev. John Thompson. Governor Spotswood had four children, John, Robert, Anne Catherine, and Dorothea. Anne Catherine married Bernard Moore, of Chelsea, in King William County; their daughter married Charles Carter, of Shirley, and was the grandmother of General Robert Edward Lee. Governor Spotswood died at Annapolis, Md., June 7, 1740, on the eve of embarking in command of the four battalions raised in the Colonies to assist England in the attack upon Carthagen. He was buried at "Temple Farm," his country-seat, near Yorktown. The place derived its name from a house in the garden built by Spotswood as a cemetery, and was destined to become famous in history. It was in the mansion at "Temple Farm" that Lord Cornwallis met General Washington and signed those world-renowned "Articles of Capitulation," which secured to America her blood-bought independence!

# L.

## HUGH DRYSDALE.

### *Lieutenant-Governor.*

September 27, 1722, to July 22, 1726.

HUGH DRYSDALE succeeded Governor Spotswood as Lieutenant-Governor of Virginia, September 27, 1722. Although his administration was a brief one, he left his mark upon the "body of the times." His correspondence with the Bishop of London on the subject of the colonial clergy, shows the high standard he had for ministers of the Gospel, and his position upon the slave trade is equally well defined. In order to relieve the colonists from a poll-tax, a duty was laid by the Assembly on the importation of liquors and *slaves*, but owing to the opposition of the African Company, the Act was annulled by the British Board of Trade. Governor Drysdale announced to the House of Burgesses that "the interfering interest of the African Company had obtained the repeal of that law." The planters beheld with dismay the alarming increase of negroes, but, as was said by one unbiassed by hostility to England, "*the British government constantly checked the attempts of Virginia to put a stop to this infernal traffic.*" In June, 1712, Queen Anne, in her speech to Parliament, boasts of her success in securing to Englishmen a new market for slaves in Spanish America. George II. favored the custom, and soon every obstruction to private enterprise was removed and the ports of Africa laid open to English competition. The statute declared that "the slave trade is very advantageous to Great Britain," and so, this great sin, though forced upon Virginia, became in the lapse of years its own avenger.

Governor Drysdale died and was gathered to his fathers, but in the light of the nineteenth century, his opposition to bringing slaves into Virginia will make his term memorable.

# LI.

## ROBERT CARTER.

### *President of the Council.*

July 22, 1726, to October 13, 1727.

ACCORDING to Hening, "Hugh Drysdale died the 22d July, 1726, and Colo. Jennings being suspended, Colo. Robert Carter took upon himself the administration of the government, as President of the Council. Robert Carter continued President of the Council till some time between the 17th of August and 13th of October, 1727, when William Gooch was appointed Governor."

Robert Carter was born in 1667. He was the son of John Carter, an emigrant from England, who settled first in upper Norfolk County and held many important positions under the colonial government. Robert Carter was for many years the agent of Lord Fairfax, the Proprietor of the Northern Neck grant. He was Speaker of the House of Burgesses for six years, long a member of the Council, and as President of that body presided over the government of Virginia until the arrival of Governor Gooch. By his large landed possessions he obtained the title of "King Carter," and those who have read his letters and studied his character declare that he possessed some kingly attributes. The old Christ church in Lancaster County was built by him, and his remains lie under the tombstone at the east end of the church, which yet stands, a memorial of the past. The following is a translation of Governor Carter's Latin epitaph:

"Here lies buried Robert Carter, Esqr., an honorable man, who by noble endowments and pure morals gave lustre to his gentle birth.

"Rector of 'William and Mary,' he sustained that institution in its most trying times. He was Speaker of the House of Burgesses, and Treasurer under the most serene Princes, William, Anne, George I. and II.

"Elected by the House its Speaker six years, and Governor of the Colony for more than a year, he upheld equally the regal dignity and the public freedom.

"Possessed of ample wealth, blamelessly acquired, he built and endowed, at his own expense, this sacred edifice—a signal monument of his piety toward God. He furnished it richly.

"Entertaining his friends kindly, he was neither a prodigal nor a parsimonious host.

"His first wife was Judith, daughter of John Armistead, Esq.; his second, Betty, a descendant of the noble family of Landons. By these wives he had many children, on whose education he expended large sums of money.

"At length, full of honors and of years, when he had well performed all the duties of an exemplary life, he departed from this world on the 4th day of August, 1732, in the 69th year of his age.

"The unhappy lament their lost comforter, the widows their lost protector, and the orphans their lost father."

## LII.

### WILLIAM GOOCH.

#### *Lieutenant-Governor.*

October 13, 1727, to June, 1740.

KING GEORGE I. of England having died, 11th June, 1727, William Gooch assumed the reins of government in Virginia, in the first year of the reign of George II. Governor Gooch was born at Yarmouth, England, 21st October, 1681. He was educated for the army, served under Marlborough, and was an officer of superior military ability. His course as Chief Magistrate in Virginia has always met with unqualified commendation, and so wise was the policy he adopted, that he is said to have been the only colonial Governor in America against whom, at home and abroad, there was never a shadow of complaint. Virginia enjoyed prosperity and repose under his administration. In 1728 the boundary line between Virginia and North Carolina was satisfactorily settled, an act of great importance to the inhabitants of these Colonies who lived on their respective borders. In 1740 troops were transported from the Colonies for the first time, to assist the soldiers of the Mother-country. Major-General Alexander Spotswood had been appointed to the command of the four colonial battalions (four hundred men of which, being Virginia's quota), raised to join in an attack on Carthagera, but dying unexpectedly, on the eve of embarkation, Governor Gooch assumed command of the expedition. During his absence, the government of Virginia devolved upon Commissary James Blair, President of the Council.

## LIII.

### WILLIAM ANNE KEPPEL.

(SECOND EARL OF ALBEMARLE.)

*Governor-in-Chief.*

September 6, 1737, to December 23, 1754.

WILLIAM ANNE KEPPEL, second Earl of Albemarle, was born at Whitehall, in 1702, and received his second Christian name from Queen Anne, who was present at his baptism, acting as sponsor on the occasion. In 1717, he was appointed by George I. a Captain in the British Army, and was continuously promoted for gallant and meritorious conduct until 1743, when he was made a Lieutenant-General. He was distinguished in many battles and won many honors; was Ambassador to France in 1748; created a Knight of the Garter, 1750; a member of the Privy Council, 1751; and enjoyed many other high positions of trust and confidence, among them, that of "Governor-in-Chief of Virginia." To this, he succeeded George Hamilton, Earl of Orkney, on the death of the latter, September 6, 1737, being appointed thereto by George II.

Lord Albemarle died in Paris, 1754, but his name still lives in a county in Virginia, and in a sound on the coast of North Carolina. He married Anne, daughter of Charles, first Duke of Richmond, and the celebrated Viscount Augustus Keppel was his son.

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# LIV.

## COMMISSARY JAMES BLAIR.

*President of the Council.*

June, 1740, to July, 1741.

JAMES BLAIR was born in Scotland, in 1655. Having been educated for the Church, he became one of its most zealous champions, and was sent by the Bishop of London, in 1685, as a missionary to Virginia. He was the minister of Henrico parish for nine years, and then moved to Jamestown in order to be more convenient to the college which he was raising up. He had been made Commissary of the Bishop of London, and in 1710 he became the Minister of Bruton parish. He was largely instrumental in procuring the charter for William and Mary College, and a grant of twenty thousand acres of land for its support. The King himself subscribed £2,000 towards its building, out of the quit-rents. Seymour, the Attorney-General of Great Britain, remonstrated against such liberality, urging that the nation was engaged in an expensive war. Commissary Blair in reply said, that the institution was for the education of young men to be ministers of the gospel, and suggested that the people of Virginia had souls to be saved, as well as the people of England. "Souls!" exclaimed Seymour, "damn your souls! make tobacco!" But notwithstanding this command, the college was built, and owed its existence in large measure to Mr. Blair.

The history of Mr. Blair during the last forty-three out of the fifty-three years of his ministry, is inseparably connected with the history of Williamsburg, the College, the Governors, Council, Assembly, and Church of Virginia. He filled a large space about him, and battled manfully in support of his convictions of right. As a faithful soldier of



Christ, his trumpet had no uncertain sound. That a man of his active character and superior mind should for more than half a century have been associated in matters of high importance to church and state without many contests, was not possible. He was engaged in controversies with Governors and clergy during the whole period of his Presidency of the College, and few men ever contended with more difficulties or surmounted them better than Dr. Blair. In addition to his daily and varied duties, he found time to write one hundred and seventeen sermons expository of the "Sermon on the Mount." Bishop William Meade says, in 1872: "As an accurate commentary on that most blessed portion of Scripture, I should think it can never have been surpassed."

Dr. Blair was long a member of the Council, and as President of that body, was the Acting Governor of Virginia during the absence of Governor Gooch on the Carthagera expedition, from June, 1740, to July 25, 1741. He died August 3, 1743, aged 88, and was buried at Jamestown. By his will he left his library and £500 to the College, and £10,000 to his nephew and the children of his nephew, besides some smaller legacies. His nephew, John Blair, was long President of the Council, and a man of high character. *His* son, John Blair, "was distinguished as a patriot, statesman, and jurist. He represented the College of William and Mary in the House of Burgesses for a long time, took an active part in all the Revolutionary movements, was a member of the great convention which met to revise the Articles of Confederation, and finally, was one of the Supreme Federal Court."

The following is a translation of the Latin inscription on Commissary Blair's tombstone, in the old graveyard at Jamestown, Va.:

Here lies buried  
The Reverend and the Honorable  
JAMES BLAIR, A. M.,

Who was born in Scotland, was educated in the College of Edinburg, and emigrated to England, and thence to Virginia, in which Colony he spent fifty-eight years as an Evangelist, Deacon, and Priest of the Church of England, and fifty-four years as Commissary of the Bishop of London.

He was the Founder and first President of William and Mary College, a member of the Council, and, subsequently, its President ; and, as such, in the absence of the representative of the King, the Governor of the Colony.

"He sustained his various offices with the approbation of his fellow-men, while he illustrated in his life those graces which adorn the Christian character. He had a handsome person, and in the family circle blended cheerfulness with piety.

"He was a generous friend of the poor, and was prompt in lending assistance to all who needed it.

"He was a liberal benefactor of the College during his life, and at his death bequeathed to it his library, with the hope that his books, which were mostly religious, might lead the student to those things that pertain to salvation.

"He died on the 3d day of the Calends of May, (August, rather,) in the year 1743, aged eighty-eight years, exhibiting to the last those graces which make old age lovely, and lamented by all, especially by his nephews, who have reared this stone to commemorate those virtues which will long survive the marble that records them."

## LV.

### SIR WILLIAM GOOCH.

*Lieutenant-Governor.*

July, 1741, to June 20, 1749.

UPON the accession of George I., King of England, 1714, the Continental Colonies counted 375,750 white inhabitants and 58,850 black, and were increasing with unexampled rapidity. The love of popular power was alive everywhere, and a period of tranquility necessary to healthy progress was vouchsafed the country. In the different Colonies the spirit of liberty and desire for self-government prevailed, and America, by a slow but steady growth, was unconsciously ripening for independence. But neither the threatening troubles of England on the North with France, nor her wars on the South with Spain, neither the invasion by the mother country of colonial rights, nor the growing and palpable necessity for co-operation, had *yet* moved the Colonies to common action.

During this time of advance and prosperity, William Gooch, returning from the expedition against Carthage, assumed again the government of Virginia. During his administration the settlement of the beautiful valley of Virginia was effected, in 1734. Through reports brought back by Governor Spotswood and party of this fertile region, settlers were induced to visit it, and this led to its permanent occupation. It is narrated that one of these settlers carried a young buffalo calf to Williamsburg and presented it to Governor Gooch. In return the Governor gave him a grant for five thousand acres of land in the valley, upon condition that he would, within ten years, settle one hundred families upon it. Governor Gooch returned to England in 1749, having been previously created a Baronet, and in 1747 was made a Major-General. On his departure he left John Robinson, President of the Council, as Acting Governor of the Colony. Sir William Gooch died December 17, 1751.

# LVI.

## JOHN ROBINSON.

*President of the Council.*

June 20, 1749, to September 5, 1749.

THE first of the Robinson family of whom we have knowledge was John Robinson, of Cleasby, Yorkshire, England, who married Elizabeth Potter, of Cleasby, daughter of Christopher Potter, from whom, no doubt, the name of Christopher, so common in the family, was derived. The fourth son of John Robinson was Dr. John Robinson, Bishop of Bristol, and while Bishop, was British Envoy for some years at the Court of Sweden, writing while there, a history of Sweden. He was also British Plenipotentiary at the Treaty of Utrecht, being, it is supposed, the last bishop or clergyman employed in a public service of that kind. He afterwards became Bishop of London, in which office he continued until his death, in 1723. Having no children, he devised his real estate to the eldest son of his brother Christopher, who had emigrated to Virginia and settled on the Rappahannock River. This Christopher was a vestryman in the church in Middlesex County, in 1664. He married Miss Bertram, and their oldest son (who inherited the Bishop of London's estate) was John Robinson, born in 1683. He married Catherine Beverley, daughter of Robert Beverley, author of "The History of Virginia," and "Speaker Robinson," or John Robinson, who was Speaker of the House of Burgesses and Treasurer of the Colony, was their son.

John Robinson (born in 1683) occupied many important positions in the Colony. He was Speaker of the House of Burgesses under Sir William Gooch, and was the first on the list of gentlemen named by Governor Gooch to disburse the £4000 appropriated by the General Assembly for an expedition

against Canada. This Act reads, "Whereas his most sacred Majesty, for vindicating the honor of his crown, and for restoring the peace and tranquility of Europe, is engaged in a just and necessary war against the French King; and with a fervent and paternal vigilance ever meditating the advancement of his people's happiness, and the confusion of our common enemy, hath resolved on an important expedition to the Northward, and required his American Colonies to second it with their united forces and abilities; and hath instructed his Lieutenant-Governor of this Colony to enlist men with all possible speed, who with the levies made in the other governments are to rendezvous at Albany, in New York, and thence proceed to act in conjunction with the troops from Great Britain, in the Conquest of Canada," etc., etc.

The most important feature of Governor Robinson's brief administration was the passage of several Acts by the Assembly, touching the government of the Colony, which were afterwards, in 1752, repealed by the King. "This," says Hening, "made a very important change in our system of jurisprudence, and it became necessary to publish a new edition of our laws."

## LVII.

### THOMAS LEE.

#### *President of the Council.*

September 5, 1749, to February 12, 1751.

THOMAS LEE, President of the Council, succeeded President Robinson in the administration of the government of Virginia, in 1749. In this station he continued for some time, until the King thought proper to appoint him Governor of the Colony; but he died before his commission reached him.

Thomas Lee was the fourth son of Richard and Lettice (Corbin) Lee, and was descended in the third generation from Richard Lee, who emigrated from Shropshire, England, and settled in Westmoreland County, Virginia, in 1641. This Richard Lee, known as "The Emigrant," had several children; the eldest two, John and Richard, were educated at Oxford, England, where John took his degree as Doctor of Physic, and, returning to Virginia, died before his father. Richard, the eldest son then living, born 1647, spent most of his life in study, and usually wrote his notes in Greek, Hebrew, or Latin, many of which are now in Virginia. He was a member of the Council in Virginia, and held other offices of honor and profit. He married Lettice Corbin, daughter of Henry Corbin, Gentleman. She died October 6, 1706, aged 49 years, and left the following children, viz.: Richard, Philip, Francis, Thomas, Henry, and Mary. *Philip* is the progenitor of Francis Lee Smith, to whom this book, in deep veneration, is dedicated. *Thomas* is the subject of the present article, and *Henry* is the progenitor of General Robert Edward Lee.

In Cople Parish, in the Burnt-House fields, at Mount Pleasant, Westmoreland County, Virginia, is a tombstone with Latin inscriptions, of which the following are translations, viz.: *First*:

"Here lieth the body of Richard Lee, Esq'r, born in Virginia, son of Richard Lee, Gentleman, descended of an ancient family of Merton-Regis, in Shropshire."

"While he exercised the office of a magistrate he was a zealous promoter of the public good. He was very skillful in the Greek and Latin languages, and other parts of polite learning. He quietly resigned his soul to God, whom he always devoutly worshipped, on the 12th day of March, in the year 1714, in the 68th year of his age."

*Second :*

"Near by is interred the body of Lettuce, his faithful wife, daughter of Henry Corbin, Gentleman. A most affectionate mother, she was also distinguished by piety toward God, charity to the poor, and kindness to all. She died on the 6th day of October, 1706, in the 49th year of her age.

The will of the *first* Richard Lee, dated 1663, can be seen in Mr. Charles Campbell's History of Virginia, p. 157. He was devoted to Virginia, and was bent on settling all of his family in the Colony. So firm was he in this purpose that by his will he ordered an estate he had in England, near Stratford-by-Bow, in Middlesex, at that time worth eight or nine hundred pounds per annum, to be sold and the money to be divided among his children. The value of *this* settlement in the Colony of Virginia is read in the pages of her history.

Thomas Lee was born about the year 1680, and (as says his son William) "though with none but a common Virginia education, yet having strong natural parts, long after he was a man he learned the languages without any assistance but his own genius, and became a tolerable adept in the Greek and Latin. By his industry and parts he acquired a considerable fortune, and though he had very few acquaintances in England, he was so well known by his reputation that upon his receiving a loss by fire the late Queen Caroline sent him over a bountiful present out of her own privy purse." This establishes the source from whence came the means of building the present house at Stratford, in Westmoreland County, Virginia. In the thickness of its walls and excellency of its architecture it is not surpassed in Virginia. It has sometimes been called "The Governor's House," because the owner and builder was Thomas Lee. He married in 1721,

Hannah, daughter of Philip Ludwell, and granddaughter of Lady Berkeley (widow of Sir William Berkeley), who married, thirdly, 1680, Philip Ludwell.

Thomas Lee left by his marriage with Miss Ludwell six sons and two daughters. These sons, Philip Ludwell, Thomas Ludwell, Richard Henry, Francis Lightfoot, William, and Arthur, are names familiar to every student of Virginia history.

Thomas Lee was long a member of the House of Burgesses and of the Council, and as President of that body, on the untimely death of Governor Robinson, became the Acting Governor of the Colony. He was a member of the famous Ohio Company, and a man of enterprise and wisdom. He died early in the year 1751. The following inscription is on a slab in the family vault at Stratford :

“ In memory of the  
HON. THOMAS LEE,  
whose body was buried at Pope’s Creek Church,  
five miles above his country seat, Stratford-Hall.  
in 1751.

It was near Pope’s Creek Church, on the road from Westmoreland Court-House to King George County, that Gen. Geo. Washington was born, and *here* he was baptized. Historic ground.

Of the six sons of Thomas Lee, of Stratford, mention must be made here, that the father may participate in the greatness of his children :

*Philip Ludwell Lee*, the eldest, succeeded his father at Stratford. He married a Miss Steptoe, and their daughter, Matilda, married General Henry Lee, of the Revolutionary Army.

*Thomas Ludwell Lee* settled in Stafford, and married a Miss Aylett.

*Richard Henry Lee* was educated in England, returned to Virginia in his 19th year, and married first a Miss Aylett, and second a Mrs. Pinkard, who was a Miss Gaskins. He took an active part in the Revolution, and his interesting life has been written and preserved to us by his grandson, Richard Henry Lee.



*Francis Lightfoot Lee* also participated largely in the stirring events of the Revolution, and was regarded as one of the ablest orators and statesmen of that day.

*William Lee* became Sheriff and an Alderman of London, and subsequently "commercial agent for Congress, in Europe and their Commissioner at the Courts of Berlin and Vienna."

*Arthur Lee*, the sixth and youngest son, as a scholar, a writer, a philosopher, and a diplomatist, was equalled by few of his contemporaries. He studied Physic in Edinburgh, where he took his degree, but disliking the profession, he studied Law. "The services rendered by him to his country as her Minister at foreign Courts were most valuable."

# LVIII.

LEWIS BURWELL.

*President of the Council.*

February 12, 1751, to November 20, 1751.

THE ancient seat of the Burwell family in Virginia was in Gloucester County, in full view of York River. A portion of the house was recently standing and appeared by figures on the walls to have been built some time in the latter part of the 17th century. This place at one time was called "Fairfield," but of recent date has been known as "Carter's Creek." The proprietor of this seat and the original settler was Major Lewis Burwell, who came to the Colony and located on Carter's Creek in 1640, and who died in 1658. His wife was a Miss Higginson, whose father had signalized himself in the wars with the Indians. On a tomb at Carter's Creek is found this inscription:

"To the lasting memory of Major Lewis Burwell, of the County of Gloucester, in Virginia, gentleman, who descended from the ancient family of the Burwells of the Counties of Bedford and Northampton, in England, who nothing more worthy in his birth than virtuous in his life, exchanged this life for a better, on the 19th day of November, in the 33d year of his age, A. D. 1658."

His fourth son, Nathaniel Burwell, married Elizabeth, eldest daughter of Robert Carter ("King Carter"), and this lady, after the death of Major Burwell, married Dr. George Nicholas, and was the mother of Robert Carter Nicholas, long the Treasurer of Virginia. The eldest son of Major Nathaniel and Elizabeth (Carter) Burwell was Lewis Burwell (of "The Grove"), born 1710. He was educated in England, and on his return to the Colony, being a man of high character and much learning, was called to fill many important offices in Virginia. He was a Burgess from Gloucester

County in 1736; later, he became a member of the Council, and as President of that body succeeded Thomas Lee in the administration of affairs in Virginia. During the time that Lewis Burwell presided at the head of the government, Henning in his "Statutes at Large" records no meeting of the General Assembly, though he mentions patents as having been signed by Burwell when President of the Council. Major Burwell married in October, 1736, Mary, daughter of Colonel Francis and Ann Willis. This Mary Willis was made heiress by John Smith, Gentleman, of Gloucester County, Petsworth Parish, to the estates of Old and New Purton, by will dated May 10, 1735. (See Hening's "Statutes at Large," Vol. 8, page 663.) Major Lewis Burwell was relieved from his post as chief executive of Virginia by the arrival of Lieutenant-Governor Robert Dinwiddie, November 20, 1751. He died in 1752.

# LIX.

## ROBERT DINWIDDIE.

### *Lieutenant-Governor.*

November 20, 1751, to January, 1758.

ROBERT DINWIDDIE was of Scotch descent and the name appears in history as far back as 1296. The immediate ancestors of Governor Dinwiddie had lived in Glasgow, and his father, Robert Dinwiddie, was a merchant of that city. His mother was Sarah, daughter of Matthew Cumming, who was Bailie of Glasgow in 1691, 1696, and 1699. Governor Dinwiddie was born at his father's seat, "Germiston," in 1693. In December, 1727, he was appointed collector of the customs in the Island of Bermuda, which position he filled until 1738, when, in acknowledgment of his valuable services in exposing a long practiced system of fraud in the collection of the customs of the West India Islands, he was made "Surveyor General of the Customs of the southern ports of the Continent of America." This appointment gave rise to some complications between Dinwiddie and Virginia. In August, 1743, he was specially commissioned to examine into the duties of the Collector of Customs of the Island of Barbadoes, and here he exposed to his Government enormous defalcations. In July, 1751, he was appointed Lieutenant-Governor of Virginia, which high position he filled honorably and wisely in a time of great anxiety and critical importance. He it was who first called young Washington to the public service of his country. Hearing that the French had made treaties with all the Western tribes of Indians, and were building forts on the Ohio River, he determined to send a messenger to remonstrate against these encroachments. For this difficult and perilous enterprise George Washington offered himself to the Governor, and it proved to be the flood in the tide of his career which

led "on to fortune." Undaunted by the wilds which had only resounded to the war-whoop of the savage or the roar of the scarcely less savage beast, unchecked by rushing mountain currents or frozen streams, with nature in all her aspects sternly opposing his onward way, he achieved his mission and brought to his Governor a clear and intelligent report of the situation on the Ohio. It was decisive of war. The services of this young Virginian were highly appreciated. Being one day in Williamsburg, he went into the gallery of the House of Burgesses, where soon he heard the Speaker say, "Gentlemen, it is proposed that the thanks of this House be given to Major Washington, who now sits in the gallery, for the very gallant manner in which he has executed the important trust lately imposed in him by his Excellency, Governor Dinwiddie." In a moment the House rose as one man, and turning towards the blushing young officer, saluted him; he tried to reply, but so completely overcome was this young hero, who had not feared to brave any danger in pursuit of duty, that he stood speechless with emotion. At last he found voice to say, "Mr. Speaker, Mr. Speaker!" and then was silent. The Speaker called out laughingly, "Major Washington, Major Washington, sit down. Your modesty alone is equal to your merit."

In reviewing the situation of America at this interesting and trying period, Bancroft thus beautifully introduces upon the pages of his history, the man destined to wear the triple crown of "First in War, First in Peace, and First in the hearts of his Countrymen":

"Thus, after long years of strife, of repose, and of strife renewed, England and France solemnly agreed to be at peace. The treaties of Aix-la-Chapelle had been negotiated by the ablest statesmen of Europe, in the forms of monarchical diplomacy. They believed themselves the arbiters of mankind, the pacificators of the world; reconstructing the colonial system on a basis which should endure for ages, and confirming the peace of Europe by the nice adjustment of material forces. At the very time of the Congress of Aix-la-Chapelle, the woods of Virginia sheltered the youthful George Washington, who had been born by the side of the Potomac, beneath the roof of a Westmoreland planter, and whose lot almost from infancy had been that of an orphan. No academy had welcomed him to its shades, no college crowned him with its honors; to read, to write, to

cipliner, these had been his degrees in knowledge. And now, at sixteen years of age, in quest of an honest maintenance, encountering the severest toil; cheered onward by being able to write to a school-boy friend, 'Dear Richard, a doubloon is my constant gain every day, and sometimes six pistoles'; himself his own cook, 'having no spit but a forked stick, no plate but a large chip'; roaming over spurs of the Alleghanies, and along the banks of the Shenandoah; alive to nature and sometimes 'spending the best of the day in admiring the trees and richness of the land'; among skin-clad savages with their scalps and rattles, or uncouth emigrants 'that would never speak English'; rarely sleeping in a bed; holding a bearskin a splendid couch; glad of a resting-place for the night upon a little hay, straw, or fodder, and often camping in the forests, where the place nearest the fire was a happy luxury,—this stripling surveyor in the woods, with no companion but his unlettered associates, and no implements of science but his compass and chain, contrasted strangely with the imperial magnificence of the Congress of Aix-la-Chapelle. And yet God had selected, not Kannitz nor Newcastle, not a monarch of the House of Hapsburg, nor of Hanover, but the Virginia stripling, to give an impulse to human affairs; and as far as events can depend on an individual, had placed the rights and the destinies of countless millions in the keeping of the widow's son."

The English Ministry having now determined on an offensive policy by sea and land against France, in 1755 a fleet was sent into the North American waters, and General Braddock arrived in Virginia accompanied by two regiments of the regular army, with the appointment of Commander-in-Chief. Braddock was unhappily defeated, and it is narrated that Washington, who was his volunteer aid-de-camp, though in danger of pursuit by Indians, did, on the night after this memorable defeat, in the absence of a chaplain, himself perform the last funeral rites over the body of Braddock, a soldier holding the candle or lighted torch while the solemn words were read.

The situation of affairs had now become so alarming that the Colonists began to organize local companies. The Assembly voted £40,000 for the service, the Virginia Regiment was enlarged to sixteen companies, and the command of the same given to George Washington.

Governor Dinwiddie, after having met the many and heavy responsibilities of his position, through failing health requested to be relieved from his trust as Governor of Vir-

ginia. He sailed for England in January, 1758, after receiving voted testimonials of the regard of the Council and of the municipal authorities of Williamsburg, the seat of Government of the Colony. He died at Clifton, Bristol, whither he had gone in quest of health, on July 27, 1770, and was interred in the Parish church there.

## LX.

### JOHN CAMPBELL.

*Earl of Loudon.*

July, 1756, to 1768.

JOHN CAMPBELL, son of Hugh, Earl of Loudon, was born in 1705, and succeeded to his title in November, 1731. He was in 1756 appointed Commander-in-Chief of the troops in North America, but, being detained in England, Major-General Abercrombie was ordered to proceed immediately to America to take command of the troops until his lordship should arrive. The Earl was likewise constituted Governor of Virginia, and was also invested with such powers as were thought necessary to enable him to promote a union among the English Colonies.

The Earl of Loudon arrived in America, July 29, 1756, and assumed command of the Army. In the month of January, 1757, a Council was held at Boston, composed of Lord Loudon and the Governors of the New England provinces and of Nova Scotia. At this Council his lordship proposed that New England should raise 4,000 men for the ensuing campaign; and that requisitions proportionately large should be made on New York and New Jersey. The requisitions were complied with, and his lordship found himself, in the spring, at the head of a very considerable army. In 1758 Lord Loudon returned to England, and General Abercrombie, on whom the chief command of the entire forces for the American war had devolved, was now at the head of 50,000 men; the most powerful army ever seen in America.

It does not appear that the Earl of Loudon ever came to Virginia. He was succeeded by Norborne Berkeley, Baron de Botetourt, as Governor-in-Chief of this Colony, in 1768. He died April 27, 1782.



# LXI.

JOHN BLAIR.

*President of the Council.*

January, 1758, to June 7, 1758.

THE successes of the French over the English during the year 1757 had left the Colonies in a somewhat despondent state, but the animating spirit of Pitt infused hope in America, and the Colonies, rising in full proportion to the occasion, prepared for the coming contest. Notwithstanding the pressure of events at this juncture, the Colony of Virginia exported, in 1758, the largest quantity of tobacco ever yet produced in that Colony in one year; 70,000 hogsheads of this staple were shipped to foreign ports.

As Governor Dinwiddie had, at his own request, been relieved from the post of Governor of Virginia, his place was taken in that important office by John Blair, President of the Council.

John Blair was the son of Dr. Archibald Blair, and a nephew of the Rev. James Blair, former President of William and Mary College. He was born in Williamsburg, Virginia, in 1689. He occupied many important positions in the government; was a Burgess from James City County, in 1736, later, a member of the Council, and as President of that body, succeeded to the direction of affairs on the departure of Governor Dinwiddie for England, in January, 1758, and held the position until the arrival of Lieutenant-Governor Francis Fauquier, June 7th, 1758.

During Governor Blair's administration an Act was passed, "augmenting the forces in the pay of this Colony to two thousand men," and further recites that "whereas by reason of the great scarcity of gold and silver in this Colony, the taxes imposed by this Act cannot be collected in time to

answer the purposes hereby intended : Be it enacted, by the authority aforesaid, That it shall and may be lawful for the said Treasurer, or the Treasurer for the time being, appointed as aforesaid, to issue and emit treasury notes, to answer the demands that shall be made upon him for the purposes aforesaid, so as the whole sum of such notes, so to be issued, shall not exceed the sum of thirty-two thousand pounds ; which notes, so to be issued, shall be prepared, printed, engraved, and numbered, in such form and after such method as the said Treasurer shall judge most safe from counterfeits and forgeries," etc., etc.

Thus, while Virginia was bracing herself for the conflict, whereby she might establish Great Britain's claim to sovereignty in the New World, little did she realize that she was calling into play forces, which would, ere long, make her the untrammelled arbiter of her own destiny.

## LXII.

### FRANCIS FAUQUIER.

#### *Lieutenant-Governor.*

June 7, 1758, to March 3, 1768.

FRANCIS FAUQUIER was born in 1703, and was appointed Lieutenant-Governor of Virginia, February 10, 1758. He arrived in the Colony on June 7, following. Though he is sometimes described as having been a man of fashion, with frivolous tastes, he is by others reputed as one of the wisest of the colonial governors. Thomas Jefferson says of Governor Fauquier, that he was "the ablest man who had ever filled that office." In the first year of his administration, the coveted French fortress of Fort du Quesne fell into the hands of the English, and Governor Fauquier has the credit of having coincided with Washington in his views as to the importance of gaining this stronghold. It fell, finally, into the hands of the English, without a blow, and with its fall ended the war between the French and English, upon the frontiers of Virginia. Louisburg had been conquered by the English, who, on July 26, 1758, took entire possession of the Island of Cape Breton; Fort du Quesne fell on November 25, following, and Ticonderoga, Niagara, and Quebec, resulted in the final conquest of Canada. The story of the battle upon the Plains of Abraham affords a thrilling picture in American history. Wolfe and Montcalm, the central figures in that bloody scene, each fell, as only heroes fall. The one, the conqueror Wolfe, died in the arms of victory, saying with his expiring breath, "Then I die happy"; the other, the conquered Montcalm, when told his wound was mortal, exclaimed, "I am glad of it; so much the better; I shall not then live to see the surrender of Quebec."

In the midst of these triumphs to the British arms, the King of England, George II., died suddenly, October 25, 1760, and was succeeded by George III., his grandson.

Affairs in Virginia now progressed quietly, and her population increased rapidly. Washington, after several years of active service against the Indians and the French, had laid down his sword and retired for a season to the shades of Mount Vernon. Virginia was slowly preparing herself, all unconscious of her destiny, for those high duties which the future held in store for her. In 1765, the passage of "The Stamp Act," in London, waked the Slogan in America. It was viewed as a violation of the British Constitution, and as destructive of the first principles of liberty. At this momentous period, there arose in Virginia a man whose burning eloquence fired the souls and nerved the arms of the Colonists to strike for "liberty or death." It was a memorable day, when in the House of Burgesses, Patrick Henry stood, holding in his hand the Resolutions (against submitting to the Stamp Act,) which he had traced with a pencil upon the leaf of an old book. Portentous hour! Quivering in the balance—a race of vassals, or a great and liberated people! Henry was unknown to fame, and with his plain, coarse garb and awkward mien, gave to the world no outward sign of the veiled genius hidden there. But, like Olympian Jove, he shook his Ægis and the tempest rolled! Felt were the thunder and the lightning of his power, and the Resolutions passed. It is much to be regretted that this burst of passionate appeal has not been preserved, and that only its conclusion has come down to us. "Cæsar," he cried, "had his Brutus, Charles I. his Cromwell, and George III."—Here he was interrupted by loud cries of "Treason! treason!" Henry knew that he stood upon the edge of a precipice, that the daring words he would have uttered would reveal too much; so with a prudence as masterful as was his valor, he continued, "and George III. may profit by their example. If this be treason, make the most of it!" The news of the adoption of these celebrated Resolutions spread like wildfire throughout the whole country. They set

forth the facts that Virginians had a right to all the privileges of English subjects; that, having no representatives in Parliament, they should not be taxed by Parliament; that the right of these Colonies to tax themselves had always been recognized by the Kings and Parliaments of England; and that *no one* had a right to tax Virginians but the General Assembly of Virginia, and to submit to anything else would destroy American freedom. The other Colonies adopted similar resolutions, and determined that nothing bearing the stamp of England should come into the country. This had the effect of encouraging home institutions, and was another step in the gradual cutting loose from old relations.

Governor Fauquier, in the progress of all these stirring events, preserved the respect of the people over whom he presided. He died March 3, 1768, and until the arrival of Lord Botetourt in October following, the government again devolved on John Blair, President of the Council.

The following address and resolutions of the patriots of the Northern Neck of Virginia, in the year 1765, immediately after the passage of the Stamp Act, were drawn up by Richard Henry Lee. It is said to have been the first public association in the land for resistance to that Act, and fittingly finds a place under this brief review of Governor Fauquier's term of office.

“Roused by danger, and alarmed at attempts, foreign and domestic, to reduce the people of this country to a state of abject and detestable slavery, by destroying that free and happy constitution of government under which they have hitherto lived; We, who subscribe this paper, have associated, and do bind ourselves to each other, to God, and to our country, by the firmest ties that religion and virtue can frame, most sacredly and punctually to stand by, and with our lives and fortunes to support, maintain, and defend each other in the observance and execution of these following Articles:

“*First*.—We declare all due allegiance and obedience to our lawful Sovereign, George the Third, King of Great Britain. And we determine to the utmost of our power to preserve the laws, the peace, and good order of this Colony, as far as is consistent with the preservation of our constitutional rights and liberty.

“*Secondly*.—As we know it to be the birthright privilege of every British subject, (and of the people of Virginia as being such,) founded on

reason, law, and compact, that he cannot be legally tried, but by his peers, and that he cannot be taxed but by the consent of a Parliament, in which he is represented by persons chosen by the people, and who themselves pay a part of the tax they impose on others: If, therefore, any person or persons shall attempt, by any action or proceeding, to deprive this Colony of those fundamental rights, we will immediately regard him or them as the most dangerous enemy of the community; and we will go to any extremity, not only to prevent the success of such attempts, but to stigmatize and punish the offender.

*“ Thirdly.*—As the Stamp Act does absolutely direct the property or the people to be taken from them without their consent expressed by their representatives, and as in many cases it deprives the British American subject of his right to trial by jury, we do determine, at every hazard, and paying no regard to danger or to death, we will exert every faculty to prevent the execution of the said Stamp Act, in any instance whatsoever, within this Colony. And every abandoned wretch, who shall be so lost to virtue and public good, as wickedly to contribute to the introduction or fixture of the Stamp Act in this Colony by using stamp paper, or by any other means, we will, with the utmost expedition, convince all such profligates that immediate danger and disgrace shall attend their prostitute purposes.

*“ Fourthly.*—That the last Article may most surely and effectually be executed, we engage to each other, that whenever it shall be known to any of this Association that any person is so conducting himself as to favor the introduction of the Stamp Act, that immediate notice shall be given to as many of the Association as possible, and that every individual so informed shall, with expedition, repair to a place of meeting to be appointed as near the scene of action as may be.

*“ Fifthly.*—Each Associator shall do his true endeavor to obtain as many signers to this Association as he possibly can.

*“ Sixthly.*—If any attempt shall be made on the liberty or property of any Associator, for any action or thing done in consequence of this Agreement, we do most solemnly bind ourselves by the sacred engagements above entered into, at the utmost risk of our lives and fortunes, to restore such Associate to his liberty, and to protect him in the enjoyment of his property.

“ In testimony of the good faith with which we resolve to execute this Association, we have this 27th day of February, 1766, in Virginia, put our hands and seals hereto.

Richard Henry Lee.

Will. Robinson.

Lewis Willis.

Thos. Lud. Lee.

Samuel Washington.

Charles Washington.

Moore Fauntleroy.

Francis Lightfoot Lee.

William Sydnor.

John Monroe.

William Cocke.

Willm. Grayson.

Wm. Brockenbrough.

Saml. Selden.

Richd. Lee.

Daniel Tibbs.

Thomas Jones.	Francis Thornton, Junr.
Rodham Kenner.	Peter Rust.
Spencer M. Ball.	John Lee, Jr.
Richard Mitchell.	Francis Waring.
Joseph Murdock.	John Upshaw.
Richd. Parker.	Meriwether Smith.
Spence Monroe.	Thos. Roane.
John Watts.	Jas. Edmondson.
Robt. Lovell.	Jas. Webb, Junr.
John Blagge.	John Edmondson.
Charles Weeks.	Jas. Banks.
Willm. Booth.	Smith Young.
Geo. Turberville.	Laur. Washington.
Alvin Moxley.	W. Roane.
Wm. Flood.	Rich. Hodges.
John Ballantine, Junr.	Jas. Upshaw.
William Lee.	Jas. Booker.
Thos. Chilton.	A. Montague.
Richard Buckner.	Rich'd Jeffries.
Jos. Pierce.	John Suggett.
Will. Chilton.	John S. Woodcock.
John Williams.	Robt. Wormeley Carter.
John Blackwell.	John Beale, Junr.
Winder S. Kenner.	John Newton.
Wm. Bronaugh.	Will. Beale, Junr.
Wm. Peirce.	Chs. Mortimer.
John Berryman.	John Edmondson, Jr.
John Dickson.	Charles Beale.
John Broone.	Peter Grant.
Edwd. Sanford.	Thompson Mason.
Charles Chilton.	Jona. Beckwith.
Edwd. Sanford.	Jas. Samford.
Daniel McCarty.	John Belfield.
Jer. Rush.	W. Smith.
Edwd. Ransdell.	John Augt. Washington.
Townshend Dade.	Thos. Belfield.
John Ashton.	Edgecomb Suggett.
W. Brent.	Henry Francks.
Francis Foushee.	John Bland, Junr.
John Smith, Junr.	Jas. Emerson.
Wm. Ball.	Thos. Logan.
Thos. Barnes.	Jo. Milliken.
Jos. Blackwell.	Ebenezer Fisher.
Reuben Meriwether.	Hancock Eustace.
Edw. Mountjoy.	John Richards.

Wm. J. Mountjoy.  
Thos. Mountjoy.  
John Mountjoy.  
Gilbt. Campbell.  
Jos. Lane.

Thos. Jett.  
Thos. Douglas.  
Max. Robinson.  
John Orr.



## LXIII.

SIR JEFFREY AMHERST.

*Governor-in-Chief.*

1763-1768.

PERHAPS none of the Colonial Governors appears in the list of Virginia's executives with such a distinguished military record as Sir Jeffrey Amherst; none certainly had his dreams of ambition more fully realized, and none reaped in ampler measure the honorable rewards of a grateful country. He had the honor of laying Canada at the foot of the British throne, and of destroying French supremacy in this coveted possession. Lord Jeffrey Amherst was descended from an ancient Kentish family near Seven-Oaks, where he was born in 1717. He early devoted himself to the profession of Arms, receiving an Ensign's commission when only fourteen years of age. When twenty-five years old, he acted as aide-de-camp to Lord Ligonier in the battles of Dettingen and Fontenoy, and afterwards served on the staff of the Duke of Cumberland at Laffield and Hastenbeck. In 1756 he received the colonelcy of a regiment, and was appointed Major-General, and in the summer of 1758 commanded the expedition against Louisburg, which, together with the whole island of Cape Breton, surrendered to his arms. The capture of Fort du Quesne, Niagara, Ticonderoga, and Quebec in due time followed, and in 1760, the whole of Canada being reduced, General Amherst received for his share in these exploits the thanks of the House of Commons and the Order of the Bath. In 1763, he was made Governor of Virginia; in 1770, Governor of the Isle of Jersey, and in 1772, Lieutenant-General of the ordnance, and officiating Commander-in-Chief of the English forces. Besides these and several other military honors, he was in 1776 created a peer,

by the title of Baron Amherst of Holmesdale, in the County of Kent. On the breaking up of the "North" administration, Lord Amherst was removed from the commandership-in-chief and the lieutenancy of the ordnance, but in 1787 received another patent of peerage as Baron Amherst of Montreal, with remainder to his nephew, William Pitt Amherst. On the staff being reappointed in 1793, he was once more called upon to act as Commander-in-Chief. In 1795 he resigned the commandership-in-chief to the Duke of York, and in 1796 received the rank of Field Marshal. He died in 1797, in the eighty-first year of his age.

Lord Amherst was twice married, but left no children. He was made Governor of Virginia in 1763, but when, in 1768, it was desired by the Ministry that he should reside in the Colony, he resigned the office and was succeeded in July, by Lord Botetourt. Amherst County, Virginia, was named in honor of Lord Amherst. He is represented as a man of collected and temperate mind, not given to parade or ostentation, a strict officer, yet the soldier's friend. It is also written in history that "Sir Jeffrey Amherst, in his advice to the Ministry, strenuously opposed the repeal of the Stamp Act." How different was it with the noble Pitt! In this present age of the glory and power of America, when the public mind turns to commemorate the virtues and valor and talents of her earliest and best friends, should William Pitt be quite forgotten? Foreseeing the separation of the American Colonies from the mother country, if the arbitrary measures then adopted should be continued, he advocated in the House of Commons, especially in 1766, a conciliatory policy and the repeal of the Stamp Act. In the House of Lords, as Lord Chatham, he continued to recommend the abandonment of the coercive measures employed against America, particularly in 1774; but his warning was rejected, and in 1776 the Colonies declared themselves independent. He still, however, labored in the cause, and used all his efforts to induce the government to effect a reconciliation with the American states; and as he was speaking with his accustomed energy on the subject in the House of Lords, April 7, 1778, he fell. He died on the 11th of the following

month. Who that has followed his burning appeals for America can doubt, if he had lived on *this* side of the Atlantic, that his name today would be a household word, as deeply revered as any of the Revolutionary heroes? With deep emotion do we read these words of one of England's most illustrious statesmen, orators, and patriots, and gratefully remember him, who turned from his high estate of power and grandeur to become a party in the distant colonial struggle:

"On a question that may mortally wound the freedom of three millions of virtuous and brave subjects beyond the Atlantic Ocean, I cannot be silent. America, being neither really nor virtually represented in Westminster, cannot be held legally, or constitutionally, or reasonably, subject to obedience to any money bill of this kingdom. The Colonies are equally entitled with yourselves to all the natural rights of mankind, and the peculiar privileges of Englishmen; equally bound by the laws, and equally participating of the Constitution of this free country." \*

"Taxation is no part of the governing power. The taxes are a voluntary gift and grant of the Commons alone. In an American tax, what do we do? We, your Majesty's Commons of Great Britain, give and grant to your Majesty—what? Our own property? No. We give and grant to your Majesty the property of your Majesty's Commons in America. It is an absurdity in terms." \* \* \* \* \*

"The Commons of America, represented in their several Assemblies, have ever been in possession of the exercise of this, their Constitutional right, of giving and granting their own money. They would have been *slaves* if they had not enjoyed it." \* \* \* \* \*

"I *never* shall own the justice of taxing America internally, until she enjoys the right of representation." \* \* \* \* \*

"No man more highly esteems and honors the British troops than I do; I know their virtues and their valor; I know they can achieve anything but impossibilities; and I know that the conquest of British America is an impossibility. You cannot, my lords, you cannot conquer America." \* \* \* \* \*

"You may swell every expense, and accumulate every assistance, and extend your traffic to the shambles of every German despot; your attempts will be forever vain and impotent—doubly so, indeed, from this mercenary aid on which you rely; for it irritates to an incurable resentment the minds of your adversaries, to overrun them with the mercenary sons of rapine and plunder, devoting them and their possessions to the rapacity of hireling cruelty. If I were an American, as I am an Englishman, while a foreign troop remained in my country I never would lay down my arms; no, never, never, *never!*"

He fought for the Colonies afar, upon the battle-field of

parliamentary debate, and in the fervor of his demand for justice to the oppressed, glowing with thoughts that had for years weighed heavy on his heart—he fell, all suddenly, into the arms of death—but, from his pinnacle of fame, his dying plea was for—*America!* Macaulay thus describes him when at the zenith of his power:

“The situation which Pitt occupied at the close of the reign of George the Second was the most enviable ever occupied by any public man in English history. He had conciliated the King; he domineered over the House of Commons; he was adored by the people; he was admired by all Europe. He was the first Englishman of his time, and he had made England the first country in the world. The Great Commoner—the name by which he was often designated—might look down with scorn on coronets and garters. The nation was drunk with joy and pride. The Parliament was as quiet as it had been under Pelham. The old party distinctions were almost effaced; nor was their place yet supplied by distinctions of a yet more important kind. A new generation of country squires and rectors had arisen, who knew not the Stuarts. The Dissenters were tolerated; the Catholics not cruelly persecuted; the Church was drowsy and indulgent. The great civil and religious conflict which began at the Reformation seemed to have terminated in universal repose. Whigs and Tories, Churchmen and Puritans, spoke with equal reverence of the Constitution, and with equal enthusiasm of the talents, virtues, and services of the Minister.”

And now that in this country, the Washington monument towers all other shafts beyond; now that Virginia has raised her triumphal memorial at Old Yorktown, and Vermont has lifted her battle column at Bennington; now that Columbus will be remembered in the greatest exhibition of the world's progress ever seen, should America forget the noble Pitt, he who defied kings and princes and the sweet voice of popular applause, to tell the story of her wrongs, and who planted his name on the side of her constitutional liberties?

“No, never, never, *never!*”

# LXIV.

## JOHN BLAIR.

### *President of the Council.*

March 3, 1768, to October, 1768.

LORD BOTETOURT was appointed Governor-in-Chief of Virginia in July, 1768, though he did not arrive in the Colony until the October following. Governor Fauquier having died March 3, 1768, until the arrival of Lord Botetourt in the following October, John Blair, "President of the Council," was the acting Governor of the Colony. During the trying period of the incumbency of President Blair, his ability and fidelity were conspicuously displayed. Although Parliament had repealed the obnoxious Stamp Act in 1766, the next year witnessed their imposing duties to be paid by the Colonists on paper, glass, painters' colors, and teas imported into the Colonies. This, with the attempt to enforce the Act to provide quarters for British soldiers in the Colonies, at the expense of the Colonies, again excited public indignation and alarm. Massachusetts guardedly and reluctantly consented, but New York declined making the provision demanded. For this offence, Parliament passed an Act for restraining the Assembly of New York from passing *any Act* until they should comply with this requisition. This arbitrary Act fanned the flame of suspicion and discontent among all the Colonies. "An Act for suspending the Legislature of that province," said Richard Henry Lee, "hangs like a flaming sword over our heads, and requires, by all means, to be removed." Again Parliament passed an Act for establishing a Custom House in America in 1767. The discussions occasioned by the Stamp Act had convinced the Colonists of their exemption from parliamentary taxation, and so they were on the alert at every attempt of England in this direction. This new occasion of

dissatisfaction roused afresh the suspicions of the Colonists and some Essays on Colonial rights under the name of "Letters from a Farmer in Pennsylvania to the Inhabitants of the British Colonies" had a rapid and extensive circulation in America. The souls of men here were being prepared for the deadly conflict—the conflict for "liberty or death!" Massachusetts sent a petition to the King against these recent acts of Parliament and issued a circular letter to the other Colonies to unite in suitable measures to obtain redress. Virginia sent a memorial to the House of Lords and a remonstrance to the House of Commons, complaining of the taxes imposed, and her action and that of Massachusetts were fully endorsed by the House of Assembly in Georgia.

During this stormy period Governor Blair held the reins of government in Virginia from March to October of 1768, the last patent signed by him bearing date the 24th October, 1768. He had served for several years as Deputy Auditor of the Colony and had also been a visitor of William and Mary College. His life was one of varied usefulness in a time that tried men's souls. He died November 5, 1771, and some of his descendants have been distinguished in the annals of Virginia.

# LXV.

## NORBORNE BERKELEY.

(BARON DE BOTETOURT.)

*Governor-in-Chief.*

October 28, 1768, to October 15, 1770.

It is said by Bancroft that

“Botetourt, the new Governor of Virginia, arrived on the James River in the delicious season of the fall of the leaf, when that region enjoys a many-tinted sky and a soft, but invigorating air. He was charmed with the scenes on which he entered; his house seemed admirable, the grounds around it well planted and watered by beautiful rills. Everything was just as he could have wished. Coming up without state to an unprovided residence, he was asked abroad every day, and, as a guest, gave pleasure and was pleased. He thought nothing could be better than the disposition of the Colony, and augured well of everything that was to happen.

“He was persuaded that the new Assembly would come together in good humor, which he was resolved not wantonly to disturb.”

But the year after Lord Botetourt arrived, the Assembly passed two resolutions: First, that Virginia would no longer submit to be taxed by England; and, second, that she would not send her criminals to England to be tried. Lord Botetourt knew that Virginia was right in this, but he thought that his duty to his King compelled him to check what seemed rebellion. He said to the Assembly: “I have heard of your resolves, and augur ill of their effects; you have made it my duty to dissolve you, and you are dissolved accordingly.” But, though the Governor dissolved the Assembly, he could not disperse its members. The spirit of freedom was aroused in every patriot breast, and instead of returning quietly to their homes, the Burgesses met at a private house in Williamsburg and adopted resolutions which Washington had brought with him from Mount Vernon, and

“ which formed a well-digested, stringent, and practicable scheme of non-importation, until all the ‘ unconstitutional ’ revenue acts should be repealed.” They also made a special covenant with one another not to import any slaves, nor purchase any imported. These compacts were signed by Peyton Randolph, Richard Bland, Archibald Cary, Robert Carter Nicholas, Richard Henry Lee, Washington, Jefferson, Henry, Carter Braxton, Nelson, and all the Burgesses there assembled, and were then sent throughout the Colony for every man to sign.

Virginia stirred the smouldering spirit of Pennsylvania to endorse her action; Delaware adopted the resolutions of the Old Dominion, and every Colony south of her followed her example. So determined were the colonists, that when some time later a vessel loaded with tea entered Boston Harbor, a number of citizens disguised as Indians went on board of the ship at night, and threw overboard three hundred and forty-two chests of tea.

America confined its issue with Great Britain to the repeal of the Act imposing a duty on *Tea*, because of *the principle* of the Act, expressed in the preamble.

England was, at this time, in a most perplexed condition as to her policy. Junius, with his firebrands, had heated the atmosphere of society; the Ministry often divided, and the King, unequal to the situation, had almost filled the measure of colonial dissatisfaction, and Revolution in America, hovering on the confines of Tyranny, was steadily taking form, and passing from an idea into an action.

Governor Botetourt having received assurances from the Earl of Hillsborough, Secretary of State for the Colonies, that the Ministry would advocate a repeal of the obnoxious taxes, the relations between the Governor and the colonial legislative bodies were fully restored; but, soon finding that he had been misled, Botetourt indignantly demanded his recall. Shortly after, and it is asserted, on account of his peculiar embarrassments, he fell sick, and died on October 15, 1770. His death doubtless was hastened by his troubles. Governor Botetourt was admired and respected by Virgin-



ians, and their appreciation of his worth is shown by their erecting a monument to his memory at Williamsburg, and naming one of their most beautiful counties after him. His example of courtesy and patience in public life, his genial affability in the social sphere, and of high honor everywhere, his fidelity to his people, and his noble Christian character, are still cherished memories among the people he loved so well.

# LXVI.

## WILLIAM NELSON.

### *President of the Council.*

October 15, 1770, to August, 1771.

AFTER having been President of the Council for a long term of years, on the decease of Lord Botetourt, William Nelson became the Acting Governor of the Colony. He was the son of Thomas Nelson, who came to America from Penrith, near the border of Scotland, and hence was known as "Scotch Tom." The same settled at York, in Virginia, and was the founder of that town, which was laid out in 1705. His eldest son, Thomas, was known as "Secretary Nelson," because so long Secretary of the Council; and the second son, William, or "President Nelson," is the subject of this notice. He was born in 1711, and was the father of the patriotic General Thomas Nelson, of Revolutionary fame.

William Nelson is said to have laid the corner-stone of the historic Nelson House at Yorktown. Though an infant, he was held by his nurse, and the brick laid in his apron and passed through his little hands. This mansion descended to President Nelson's eldest son, General Thomas Nelson, and was his residence until the threatened siege of York by the English, induced him to remove his family to "Offley," in Hanover County. During this siege the Nelson House was occupied by Lord Cornwallis, and General Nelson's unselfish desire for its destruction is a fitting illustration of the spirit which made Virginia free.

To quote from another, in describing the situation of this now celebrated town :

"The river is full a mile wide at York, which is eleven miles from its mouth, and is seen stretching itself away until it merges itself into the

Chesapeake Bay. The sun rises immediately over the mouth of the river, and the water is tinged with the rainbow hues of heaven. We have watched with much interest the decline of day from the New York Battery, but we doubt if New York Harbor—compared, as it is, with the Bay of Naples—ever presented to the eye a more enchanting spectacle than York River in its morning glory. Beautiful for situation is old York, stretching east and west on as noble a sheet of water as rolls beneath the sun."

How such a scene as this must have nerved the arm of patriots, and warmed the heart of every son of liberty in the fight for freedom. And *how* well they fought, that monument at Yorktown, which commemorates the hundred years of liberty they bought, now tells the tale.

President Nelson presided over the affairs of Virginia during an exciting period, but the life of the Colony seems to have progressed under his judicious sway. He died November 19, 1772, and the following extract from a printed sermon on his death, by Mr. Camm, President of William and Mary College, will give some idea of his character and of the position he held among his fellow-men. He was

"The kind and indulgent father, without suffering the excess of fondness to take off his eye from the true and best interests of his children; the tender husband, the affectionate brother, the useful and entertaining friend, the kind and generous master. His hospitality was extensive and liberal, yet judicious, and not set free from the restraints of reason and religion. It was not a blind propensity to profuseness, or a passion for a name, by which he corrupted the morals of his friends and neighbors. He was no encourager of intemperance or riot, or any practice tending to injure the health, the reputation, the fortunes, or the religious attainments of his company. His charities were many, and dispensed with choice and discretion, and so as to be most serviceable to the receivers and the least oppressive to their modesty. As one of the first and most respectable merchants in this dominion, he had great opportunity of being acquainted with the circumstances of many people whose cases otherwise would have escaped his knowledge. This knowledge was often turned to their advantage whose affairs fell under his consideration. I think I shall have the concurring voice of the public with me when I say, that his own gain by trade was not more sweet to him than the help which he hereby received toward becoming a general benefactor. He was an instance of what abundance of good may be done by a prudent and conscientious man, without impoverishing himself or his connections—nay, while his fortunes are improving. An estate raised with an unblemished reputation, and

diffused from humane and devout motives in the service of multitudes as well as the owner's, it may reasonably be expected will wear well, and have the blessing of Providence to attend and protect it from generation to generation."

Among the tombstones in the old churchyard at York, Virginia, may be seen one with the following inscription :

" Here lies the body of the Honorable William Nelson, Esquire, late President of his Majesty's Council in this Dominion, in whom the love of man and the love of God so restrained and enforced each other, and so invigorated the mental powers in general, as not only to defend him from the vices and follies of his age and country, but, also to render it a matter of difficult decision in what part of laudable conduct he most excelled ; whether in the tender and endearing accomplishments of domestic life, or in the more arduous duties of a wider circuit ; whether as a neighbor, a gentleman, or a magistrate ; whether in the graces of hospitality or piety. Reader, if you feel the spirit of that exalted ardour which aspires to the felicity of conscious virtue, animated by those consolations and divine admonitions, perform the task, and expect the distinction of the righteous man. He died the 19th day of November, Anno Domini 1772, aged 61."

## LXVII.

JOHN MURRAY.

(EARL DUNMORE.)

*Governor-in-Chief.*

July, 1771, to June, 1775.

EARL DUNMORE had been appointed Governor of New York, January, 1770, and of Virginia in July, 1771. He was born in 1732, and was descended in the female line from the royal house of Stuart. He succeeded to the peerage in 1756, and is described as a man of culture—this, indeed, seems to be the only commendation which history accords him.

The people of Virginia, conciliated by Lord Dunmore's *apparent* friendliness, desired through their Assembly to honor permanently his name, and that of his eldest son, George, Lord Fincastle. By Acts passed February, 1772, the Counties of Berkeley and Dunmore were created from Frederick County, and the County of Fincastle, created from the County of Botetourt. But as time went on, the relations between the Governor and his people changed, and Dunmore and Fincastle became extinct names in the list of Virginia Counties. Dunmore was changed to Shenandoah, and Fincastle was divided into Kentucky, Washington, and Montgomery.

Bancroft describes Dunmore as a man who came to America "to amass a fortune, and in his passion for sudden gain, cared as little for the policy of the Ministers or his instructions from the Crown, as for the rights of property, the respective limits of jurisdiction of the Colonies, or their civil and political privileges. To get money for himself was his whole system." He became arbitrary in his rule in Virginia

—prorogued the House of Burgesses from time to time as it suited his pleasure, until at last, a forgery of the paper currency of the Colony compelled him to call the Assembly together again, by proclamation, March 4, 1773.

An English armed revenue vessel having been burned in Narragansett Bay, an Act of Parliament passed, making such offences punishable with death, and ordering the accused to be sent to England for trial. This was in direct violation of Virginia's remonstrance in 1769, and thus was another torch added to the fire of liberty which was spreading far and wide over the continent.

During these dark and threatening days, some of the Virginia patriots were in the habit of meeting together in the evening, in a private room in the Old Raleigh Tavern at Williamsburg. Here they laid their plans and here they pledged a common vow to make their country free. Whether that vow should become a reality, rested on Virginia. Her Assembly came together on the 4th of March, 1773. Says Bancroft:

"Its members had authentic information of the proceedings of the Town of Boston, and public rumors had reached them of the commission for inquiring into the affairs of Rhode Island. They had read and approved of the answers which the Council and the House, of Massachusetts, had made in January, to the speech of Hutchinson, their execrated Governor. They formed themselves, therefore, into a committee of the whole House, on the state of the Colony, and in that committee, Dabney Carr, of Charlotte, a young statesman of brilliant genius as well as fervid patriotism, moved a series of Resolutions for a system of intercolonial committees of correspondence. His plan included a thorough union of Councils throughout the continent. If it should succeed and be adopted by the other Colonies, America would stand before the world as a Confederacy. The measure was supported by Richard Henry Lee, with an eloquence which never passed away from the memory of his hearers; by Patrick Henry, with more commanding majesty. The Assembly did what greatness of mind counselled; and they did it quietly, as if it were but natural to them to act with magnanimity. On Friday, the twelfth of March, the Resolutions were reported to the House and unanimously adopted. They appointed their committee, on which appear the names of Bland and Lee, of Henry and Carr and Jefferson. Their resolves were sent to every Colony, with a request that each would appoint its Committee to communicate from time to time with that of Virginia. In this

manner, Virginia laid the foundation of our Union." \* \* \*

"The associates of Dabney Carr were spared for further service to humanity. He, himself, was cut down in his prime, and passed away like a shadow; but the name of him who, at this moment of crisis, beckoned the Colonies onward to union, must not perish from the memory of his countrymen."

Richard Henry Lee is said by others to have been the author of the plan of inter-colonial committees of correspondence, and that it was in the Old Raleigh Tavern agreed that Carr should present the matter to the House of Burgesses. On the day after the dissolution of this Assembly the Committee appointed by it addressed a circular to the other American Colonies. Thus, steadily were the battalions of freedom forming! "Glorious Virginia," cried the Assembly of Rhode Island, glowing with admiration for "its patriotic and illustrious House of Burgesses," and this brave little New England Colony was the first to follow the example of the Old Dominion, "by electing its committee and sending its circular through the land."

We now enter upon a period of misrule which soon eventuated in the activities of a Revolution. In 1773, *the last laws* were passed in Virginia under the colonial government. In 1774, no laws were passed. At the Assembly which met June 1, 1775, no laws were enacted. Governor Dunmore dissolved on the 26th May, 1774, an Assembly, because the House of Burgesses had by a resolution on the 24th of May, set apart the 1st day of June (the day on which the Boston Port Bill took effect) as a day of "fasting, humiliation, and prayer," and ordered a sermon to be preached suitable to the occasion. On the dissolution of the Assembly by Dunmore, the Burgesses repaired immediately to the Raleigh Tavern, and in the "Apollo" room adopted resolutions against the use of tea and other imported commodities, and recommended an annual Congress of representatives of the Colonies. On the 29th of May, the Burgesses held a meeting, at which Peyton Randolph presided, and they issued a Circular calling an assembly of deputies to meet in convention in Williamsburg, the 1st of August follow-

ing. *This* was the first public Revolutionary assemblage.

And now, in the midst of turmoil and distress at the seat of government, the war-whoop of the savage was again heard on the frontiers of the Colony. The white men seem to have commenced the trouble, or rather to have punished small offences of the Indians, by the spilling of blood. This roused the tribes to fury and they wreaked their vengeance on the frontier settlements. An army was raised and placed under the command of General Lewis, who marched to Point Pleasant, where the Kanawha River empties into the Ohio. Here ensued a bloody battle. The Indians were led on by a gigantic warrior named "Cornstalk," and they fought with great desperation. When all seemed lost for the Virginians, a reinforcement arrived under Colonel Fleming, who, adopting the Indian method of shooting from behind trees, turned the tide of battle, which finally resulted in a complete, though dearly bought, victory. The Virginians lost 140 men, among whom were many valuable officers. Governor Dunmore, who had promised to join General Lewis, took another direction, and some eighty miles distant, made his camp. Not to his prowess as a soldier, but to his position as Governor, do we read that "Lord Dunmore secured a treaty of peace with the savages." Dunmore now concluded a treaty with the various Indian tribes, and at this pacification the celebrated speech of Logan, the Cayuga chief, was delivered. The circumstances relating to this subject are, according to Thomas Jefferson, as follows:

"In the spring of the year 1774, a robbery was committed by some Indians on certain land-adventurers on the river Ohio. The whites in that quarter, according to their custom, undertook to punish this outrage in a summary way. Captain Michael Cresap, and a certain Daniel Greathouse, leading on these parties, surprised, at different times, travelling and hunting parties of the Indians, having their women and children with them, and murdered many. Among these were unfortunately the family of Logan, a chief celebrated in peace and war, and long distinguished as a friend of the whites. This unworthy return provoked his vengeance. He accordingly signalized himself in the war which ensued. In the autumn of the same year a decisive battle was fought at the mouth of the Great Kahaway, between the collected forces of the Shawanese, Mingoes



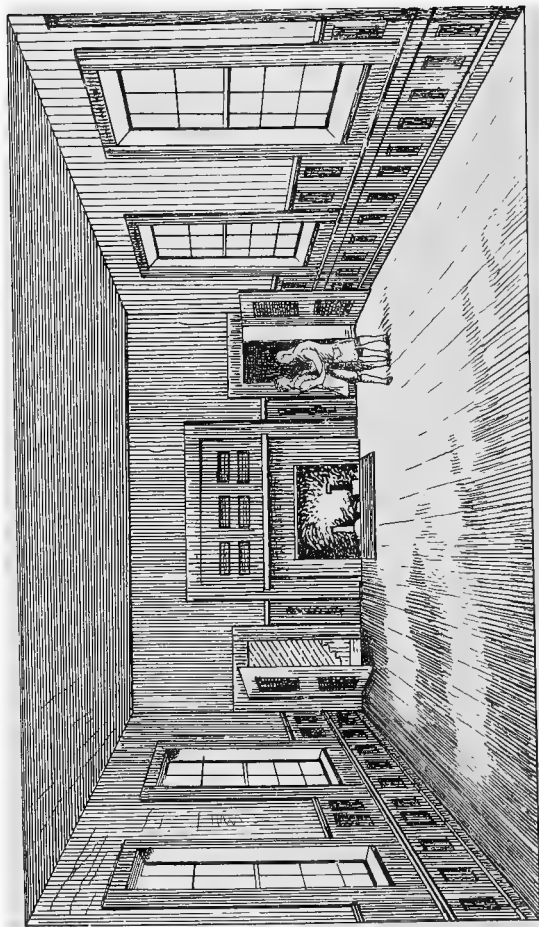
and Delawares, and a detachment of the Virginia militia. The Indians were defeated and sued for peace. Logan, however, disdained to be seen among the suppliants. But, lest the sincerity of a treaty should be distrusted, from which so distinguished a chief absented himself, he sent, by a messenger, the following speech to be delivered to Lord Dunmore :

“ ‘ I appeal to any white man to say, if ever he entered Logan’s cabin hungry and he gave him not meat ; if ever he came cold and naked and he clothed him not. During the course of the last long and bloody war, Logan remained idle in his cabin, an advocate for peace. Such was my love for the whites, that my countrymen pointed as they passed, and said, “ Logan is the friend of white men.” I had even thought to have lived with you, but for the injuries of one man. Colonel Cresap, the last spring, in cold blood and unprovoked, murdered all the relations of Logan, not even sparing my women and children. There runs not a drop of my blood in the veins of any living creature. This called on me for revenge. I have sought it ; I have killed many ; I have fully glutted my vengeance ; for my country I rejoice at the beams of peace ; but do not harbour a thought that mine is the joy of fear. Logan never felt fear. He will not turn on his heel to save his life. Who is there to mourn for Logan ? Not one.’ ”

Early in 1775, the people of Virginia called another Convention, which met in Richmond on the 20th March. Upon an eminence which is now called “ Church Hill,” stands an old wooden church, and it was in this “ St. John’s Church ” that the Convention met to deliberate upon the situation. Here Patrick Henry voiced the people’s hopes and sounded that tocsin of liberty whose peals resounded over all the land. Lord Dunmore, alarmed at the threatening aspect of affairs, caused the removal of the powder from the magazine at Williamsburg to an English ship. The people flew to arms under Patrick Henry, and Dunmore was forced to pay for the powder. On the 6th of June he fled with his family and took refuge on board the *Fowey*, a man-of-war. What a contrast does Lord Dunmore’s exit from Virginia, present to his entrance, only three short years before ! Behold him on his coming, received with expressions of warmth and affection by the Assembly ; later, two counties called in honor of his family ; a daughter born in the Colony and named “ Virginia,” formally adopted by the Assembly as the Daughter of the Dominion, with provision for her life support ; and then behold Lord Dunmore, seeking to deprive Virginians of

the means of self-defence, and in the dead of night removing all the powder from the magazine in Williamsburg; behold him fleeing in conscious guilt to the *Fowey*; behold him plundering the inhabitants along the James and York Rivers and carrying off their slaves; behold him making battle at Great Bridge, and with a last, fell stroke, firing and destroying Norfolk, the most flourishing town in Virginia! History records these painful facts, and it is wise for the descendants of the Revolutionary Fathers to remember through what deep seas of suffering these heroes struggled to their freedom! Lord Dunmore returned to England in the latter part of the summer of 1776, and in 1786 was appointed Governor of Bermuda. He died at Ramsgate, England, in May, 1809.





### THE CRADLE OF LIBERTY.

"Apollo Room," Old Raleigh Tavern, Williamsburg, Va.

# LXVIII.

PEYTON RANDOLPH.

*President of*

*The Virginia Convention of August, 1774,*

*The Virginia Convention of March, 1775,*

*The Virginia Convention of July, 1775.*

NEVER since the foundation of Virginia had there been greater need of wisdom and courage in her people than was necessary in the critical juncture now at hand, and not in vain did the occasion summon the indignant Colonists to high and patriotic duties.

Standing face to face with a great crisis which they intrepidly resolved to meet, they pledged their lives, their fortunes, and their sacred honor to the conflict, and shoulder to shoulder moved on to the momentous issue of "liberty or death."

Peyton Randolph, first President of the American Congress, was born in Virginia in 1723, and died in Philadelphia, October 22, 1775. He was the second son of Sir John Randolph, and after graduating at the College of William and Mary, went to England and studied law. On his return in 1748 he was appointed King's Attorney-General for the Colony, was chosen a member of the House of Burgesses, and was chairman of a committee to revise the laws of the Colony. In 1764 he drew up the address of the Burgesses to the King, against the passage of the Stamp Act. In 1765, after that Act became a law, Randolph, with other proprietors of large estates, opposed Patrick Henry's celebrated five resolutions, being loath to cast the die of Revolution. In the same year Virginia forwarded to Eng-

land petitions similar to those adopted by the Congress, (held in the City of New York, October, 1765) with an address to the King, written by Randolph. In 1766 Randolph was made Speaker of the House of Burgesses, resigning, about the same time, his office of Attorney-General. In the measures of opposition to the English government he now took a conspicuous part. He was a member of the committee of vigilance, appointed to obtain the most accurate intelligence of all Acts of Parliament affecting the rights of the Colonies, and authorized to open a correspondence with the other Colonies. In August, 1774, he presided in the Convention at Williamsburg, and was one of the delegates elected to the Continental Congress. On the assembling of that body in Philadelphia, in September, he was unanimously elected its President, but in consequence of ill-health, held the post only five or six weeks. In March, 1775, he presided over the second Convention of Virginia, at Richmond, was elected again as a delegate to Congress, and when that body met at Philadelphia on May 10, 1775, was re-elected President; but nearer duties recalling him to Virginia, he was succeeded by John Hancock. The Convention which met in Richmond, July 17, 1775, elected Peyton Randolph its President, making him thus for the third time the Moderator of the revolutionary proceedings in Virginia. But his valuable services were destined to be of short duration. He died suddenly, of apoplexy, in Philadelphia, October 22, 1775, but his remains were interred beneath the pavement of the famous "Old Chapel" of William and Mary College, at Williamsburg, Virginia.

Of all Peyton Randolph's public services, none, perhaps, were more valuable than those he rendered in the three historic Revolutionary Conventions over which he presided in his native state. He was one of the most distinguished lawyers and patriots of his time and country, and, though not remarkable for eloquence, he derived great weight from the solid powers of his understanding, and the no less solid virtues of his heart. Besides being an eminent lawyer, he was a well-informed and practical statesman, and his thorough

acquaintance with all forms of parliamentary proceeding made him a tower of strength in those days of anarchy and confusion.

On the morning of May 25, 1774, when Lord Dunmore dissolved for the last time the Virginia House of Burgesses, the indignant members repaired immediately to the Raleigh Tavern, about one hundred paces from the Capitol, and with Peyton Randolph, their late Speaker, in the chair, held a solemn Council. They voted that the late attack on Massachusetts was an attack on *all* the Colonies, which should be opposed by the *united* wisdom of *all*. They advised an annual Continental Congress, and they named Peyton Randolph, with others, a Committee of Correspondence, to invite a general concurrence in this design. On the following Sunday afternoon, May 29, 1774, letters from Boston reached Williamsburg, of such an exciting and important nature, that the next morning, at ten o'clock, the Burgesses met, having called to their aid Washington, who was in Williamsburg at the time. Being but twenty-five in number they felt unwilling to assume the responsibility of definite measures of resistance, but summoned a Convention of delegates to be elected by the several counties, to meet at the Capitol on the first day of the ensuing August. It was in this Convention that Washington uttered the wish to raise one thousand men, subsist them at his own expense, and march at their head to the relief of Boston. It is also a point of historic interest to note, that the people of Boston endorsed "the plan proposed by our *noble, patriotic*, sister Colony of Virginia."

Among the great causes of colonial dissatisfaction with the mother country, we may briefly mention the Navigation Act of 1651, the Sugar Act of 1764, the Stamp Act of 1765; but the spark which fired the smouldering continental discontent was the duty on Tea, which, resisted, led to the Boston Port Bill, in 1774, and this—to war.

The Act which shut up the harbor of Boston was speedily followed by another, entitled, "An Act for the better regulating the government of Massachusetts," and this unveiled intention of interfering with Home Rule was too much for struggling freedom.

On June 1, 1774, the day appointed to carry the Port Bill into operation, business was finished at Boston by twelve o'clock noon, and the harbor shut up. The day was observed through all the Colonies as a day of mourning. In this feverish condition of public feeling, the Convention, summoned to meet in Williamsburg, assembled in the old Capitol on August 1, 1774, and Peyton Randolph was elected its President. Here, in the "Heart of the Rebellion," as this building was called, was first proclaimed in outline that noble chart of human liberty—the Declaration of American Independence. Illness detained Thomas Jefferson on the road, but he sent for inspection a paper which foreshadowed his mighty work. It was presented by Peyton Randolph, President of the Convention, and printed by some of the delegates. Enumerating the grievances which affected all the Colonies, it made a special complaint of a wrong to Virginia.

"For the most trifling reasons," said he, "and sometimes for no conceivable reason at all, his Majesty has rejected laws of the most salutary tendency. The abolition of domestic slavery is the great object of desire in those Colonies where it was unhappily introduced in their infant state. But, previous to the enfranchisement of the slaves we have, it is necessary to exclude all further importations from Africa; yet our repeated attempts to effect this (by prohibitions, and by imposing duties which might amount to a prohibition,) have been hitherto defeated by his Majesty's negative, thus preferring the immediate advantage of a few British corsairs to the lasting interests of the American states, and to the rights of human nature, deeply wounded by this infamous practice."

Of these words every heart acknowledged the justice. Moreover, the Fairfax Resolves, in which George Mason and Washington had given their solemn judgment against the slave trade, were brought by the Fairfax delegates before the Convention, and in August that body came to the unanimous vote:

"After the first day of November next, we will neither ourselves import nor purchase any slave or slaves imported by any other person, either from Africa, the West Indies, or any other place."

In this Convention, the eloquence of Richard Henry Lee and of Patrick Henry made such profound impression, that the one was compared to Cicero and the other to Demosthenes,



and Washington declared, "The crisis is arrived when we must assert our rights or submit to every imposition that can be heaped upon us, till custom and use shall make us tame and abject slaves." The great lawyer, Thomson Mason, of Virginia, denied, through the press, the right of England to make laws for the Colonies, and exclaimed, "I do not wish to survive the liberty of my country one single moment, and am determined to risk my all in supporting it." Thus the voice of Virginia, within and without the Convention, was for Liberty, and she sent Patrick Henry, Washington, Richard Henry Lee, and Peyton Randolph to expound her views in the Continental Congress, which met at Philadelphia, September 4, 1774. Peyton Randolph, late Speaker of the Assembly of Virginia, was unanimously chosen President of the first Continental Congress. The assemblage baptized itself "The Congress," and its Chairman "The President." Eleven Colonies were represented by fifty-five members, each Colony sending as many members as it pleased, and here Patrick Henry, Washington, Richard Henry Lee, Samuel Adams, John Adams, Jay, and many other noble patriots met to face the desperate resort of Revolution.

At the beginning of the second day's session, a long and deep silence prevailed. The voice of Virginia was waited for, and soon it was heard to break that momentous stillness. Amid the solemn hush rose Patrick Henry to speak his country's wrongs, and to grave as "with an iron pen and lead in the rock forever," the glorious idea of American *union*. "British oppression," he said, "has effaced the boundaries of the several Colonies; the distinctions between Virginians, Pennsylvanians, New Yorkers, and New Englanders are no more. I am not a Virginian, but an American!"

In 1774 the number of white inhabitants in all the thirteen Colonies was about 2,100,000, and of blacks about 500,000. This was the America which determined to be free. But, before the patient patriots in Congress assembled turned to the last resort, they determined to make one final appeal to England. They sent an address to the King, a memorial to

the people of British America, and an address to the people of Great Britain. Mr. Lee, Mr. J. Adams, Mr. Johnson, Mr. Henry, and Mr. Randolph, prepared the address to the King; Mr. Lee wrote the memorial to the people of British America; and Mr. Jay, the address to the people of Great Britain.

Lord Chatham, in speaking of these communications in the House of Lords, said: "When your lordships look at the papers transmitted to us from America, when you consider their decency, firmness, and wisdom, you cannot but respect their cause and wish to make it your own. For myself, I must declare and avow that in all my reading and observation—and state-craft has been my favorite study, I have read Thucydides, and admired the master states of the world—that for solidity of reasoning, force of sagacity, and wisdom of conclusion under such complication of circumstances, no nation or body of men can stand in preference to the general Congress at Philadelphia." It is true that the Congress of 1774 was composed of men of the highest order of wisdom and talent, "but, if you speak of solid information and sound judgment," said Patrick Henry, "*Washington* is unquestionably the greatest man of them all."

But England would not relent, and the pressure of events which thickened as the time rolled on, found Virginia in 1775 embarrassed by unusual difficulties. Subjected to the tyranny of a Governor now opposed to her every interest, and, saving a little powder in a magazine near Williamsburg, destitute of warlike stores, she was, with many hindrances, quite unprepared for war. Of all the Colonies, she was most open to attack. The Bay of the Chesapeake, the deep waters of the Potomac, the James, the York, and other streams, exposed her to invasion, and when day after day she saw the English men-of-war hovering upon her coast, she knew "the hour" had come, and she bared her bosom to the storm. To meet the crisis, she called a convention to assemble at Richmond in March of this year, 1775. Williamsburg was no longer a place for revolutionary assemblages. Dunmore sat in his palace and watched in angry silence the progress of events, relying for his own protection on the British men-of-

war lying in the river near at hand. So the patriots convened, March 20, 1775, in Richmond, on what is now known as "Church Hill," in old St. John's Church, there to make ready for the morrow. They knew their cause was just, and they knew that whatever course might be decided on for the defence of Virginia, the people at home were ready to lay down their money and their lives to accomplish it. Of this Convention Peyton Randolph was chosen President, and here Patrick Henry delivered one of those stirring, fiery appeals of eloquence which has in part come down to us. He said, addressing the President :

"I have but one lamp by which my feet are guided, and that is the lamp of experience. I know of no way of judging of the future but by the past. And judging by the past, I wish to know what there has been in the conduct of the British Ministry for the last ten years to justify those hopes with which gentlemen have been pleased to solace themselves and the house. Is it that insidious smile with which our petition has been lately received? Trust it not, sir; it will prove a snare to your feet. Suffer not yourselves to be betrayed with a kiss. Ask yourselves how this gracious reception of our petition comports with those warlike preparations which cover our waters and darken our land. Are fleets and armies necessary to a work of love and reconciliation? Have we shown ourselves so unwilling to be reconciled, that force must be called in to win back our love? Let us not deceive ourselves, sir. These are the implements of war and subjugation; the last argument to which kings resort. I ask, gentlemen, sir, what means this martial array, if its purpose be not to force us to submission? Can gentlemen assign any other possible motive for it? Has Great Britain an enemy in this quarter of the world, to call for all this accumulation of navies and armies? No, sir, she has none. They are meant for us; they can be meant for no other. They are sent over to bind and rivet upon us those chains, which the British Ministry have been so long forging. And what have we to oppose to them? Shall we try argument? Sir, we have been trying that for the last ten years. Have we anything new to offer upon the subject? Nothing. We have held the subject up in every light of which it is capable; but it has been all in vain. Shall we resort to entreaty and humble supplication? What terms shall we find, which have not been already exhausted? Let us not, I beseech you, sir, deceive ourselves longer.

"Sir, we have done everything that could be done to avert the storm which is now coming on. We have petitioned; we have remonstrated; we have supplicated; we have prostrated ourselves before the throne, and have implored its interposition to arrest the tyrannical hands of the Ministry and Parliament. Our petitions have been slighted ;

our remonstrances have produced additional violence and insult; our supplications have been disregarded; and we have been spurned, with contempt, from the foot of the throne! In vain, after these things, may we indulge the fond hope of peace and reconciliation. There is no longer any room for hope. If we wish to be free—if we mean to preserve inviolate those inestimable privileges for which we have been so long contending—if we mean not basely to abandon the noble struggle in which we have been so long engaged, and which we have pledged ourselves never to abandon, until the glorious object of our contest shall be obtained—*we must fight!* I repeat it, sir, *we must fight!* An appeal to arms and to the God of Hosts is all that is left us!

“They tell us, sir, that we are weak,—unable to cope with so formidable an adversary. But when shall we be stronger? Will it be the next week, or the next year? Will it be when we are totally disarmed, and when a British guard shall be stationed in every house? Shall we gather strength by irresolution and inaction? Shall we acquire the means of effectual resistance by lying supinely on our backs, and hugging the delusive phantom of hope, until our enemies shall have bound us hand and foot? Sir, we are not weak, if we make a proper use of those means which the God of nature hath placed in our power. Three millions of people, armed in the holy cause of Liberty, and in such a country as that which we possess, are invincible by any force which our enemy can send against us.

Besides, sir, we shall not fight our battles alone. There is a just God, who presides over the destinies of nations, and who will raise up friends to fight our battles for us. The battle, sir, is not to the strong alone; it is to the vigilant, the active, the brave. Besides, sir, we have no election. If we were base enough to desire it, it is now too late to retire from the contest. There is no retreat, but in submission and slavery. Our chains are forged. Their clanking may be heard upon the plains of Boston. The war is inevitable,—and *let it come!* I repeat it, sir, *let it come!* It is vain, sir, to extenuate the matter. Gentlemen may cry, ‘Peace, peace!’ but there is *no* peace. The war is actually begun. The next gale that sweeps from the north will bring to our ears the clash of resounding arms! Our brethren are already in the field. Why stand we here idle? What is it that the gentlemen wish? What would you have? Is life so dear or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take, but, as for me, give me liberty, or give me death!”

Says William Wirt in describing this scene: “He took his seat. No murmur of applause was heard. The effect was too deep. After the trance of a moment, several members started from their seats. The cry, ‘To arms!’ seemed to quiver on every lip and gleam from every eye,”—and the following Resolution was immediately adopted:

“Resolved, therefore, That this Colony be immediately put into a state of defence and that ——— be a committee to prepare a plan for embodying, arming, and disciplining such a number of men as may be sufficient for that purpose.”

Patrick Henry, Richard H. Lee, Robert C. Nicholas, Benjamin Harrison, Lemuel Riddick, George Washington, Adam Stevens, Andrew Lewis, William Christian, Edmund Pendleton, Thomas Jefferson, and Isaac Zane were appointed a committee to prepare the plan called for by the above Resolution.

“Thus the fathers of the Revolution,” says Hening, “when they dared that hazardous enterprise, found themselves without a government, without men, and without money. Indeed, they had nothing to support them in the awful contest but their own virtue and talents, and a firm reliance on the Sovereign Disposer of all events.” The progress of the Revolution shows with what facility all difficulties were surmounted, what rapid progress was made in military science, and how fitly every measure was adapted to the circumstances of the country.

Thus was Virginia fairly launched into the War of the Revolution. Meeting at her own door the treacherous Lord Dunmore, who, by fire, sword, and every wicked stratagem, sought her ruin, she failed not to join hands with her sister Colonies, to work out their common redemption.

In this exciting posture of affairs the Colonial Convention of Virginia met again in Richmond, on Monday, the 17th day of July, 1775. Peyton Randolph was chosen President of this Convention, whose proceedings were marked by great decision and vigor. Their first measure was “An ordinance for raising and embodying a sufficient force for the defence and protection of this Colony.” Two regiments of regulars, to consist of one thousand and twenty privates, rank and file, were to be forthwith raised and taken into the pay of the Colony; also other military forces were provided for, and soldiers armed, trained, and furnished with all military accoutrements, were to be ready to march at a minute’s warning. Patrick Henry was elected Colonel of the 1st

Virginia Regiment, and made Commander of all the forces raised and to be raised, for the defence of the Colony. On the 15th of June, little less than a month before, Washington, at the age of 43, had been elected by the Continental Congress, then in session in Philadelphia, General of "The Continental Army." This appointment was brought forward "at the particular request of the people in New England," and he was elected by ballot unanimously. Upon accepting the position he said, "As the Congress desire it, I will enter upon the momentous duty, and exert every power I possess in their service and for the support of the glorious cause. But, I beg it may be remembered by every gentleman in this room, that I this day declare, with the utmost sincerity, I do not think myself equal to the command I am honored with."

It was in the midst of all these exciting scenes that Peyton Randolph, the immediate subject of this sketch, died suddenly, on the 22d October, 1775, aged 52. He left a noble record of personal honor, usefulness, and patriotism, holding in many a storm the rudder of the ship of state, in those dark hours "which tried men's souls."

# LXIX.

EDMUND PENDLETON.

*President of  
The Convention of December, 1775,  
and  
The Convention of May, 1776.*

The burning period now to be reviewed is known in the annals of Virginia as the "Interregnum," being the time embraced from the dissolution of the regal government, practically dissolved upon the flight of Lord Dunmore, June 6, 1775, until the establishment of the Commonwealth on the 29th June, 1776.

Edmund Pendleton, whose name heads this article, was born in the County of Caroline, Va., in 1712, and on his estate, "Edmundsbury," in that county, spent such portion of his life as was not devoted to public service. He became first, Clerk of the County Court, then a member of the bar, and at the age of thirty entered the House of Burgesses of Virginia. He soon rose to distinction, and was one of the most conspicuous among the great men of his state during the war of the Revolution. He was a man of fine endowments and vigorous application, and by hard study remedied the wants of early education. He was for a long time one of the leading members of the House of Burgesses of Virginia, and in 1773 was appointed one of the Committee of Correspondence for gaining intelligence of the acts of the British government, and for communicating with the Colonies. He was a member of the Congress of 1774, and President of the Virginia Conventions of December, 1775, and May, 1776. In 1787 he was appointed President of the Convention of Virginia, elected to consider the Constitution of the United States, and

employed his influence to obtain its adoption. In 1789 he, was appointed Judge of the United States District Court for Virginia, but declined the office. He was for many years a Judge of the Court of Appeals of Virginia, and its President at the time of his death, which took place at Richmond, 23d October, 1806. He held the first rank as a lawyer and statesman, and was particularly distinguished for the force and clearness of his thoughts, for subtlety in discrimination, and dexterity in argument. Edmund Pendleton is thus described by the celebrated William Wirt, of Richmond, Va.:

“His manners were elevated, graceful and insinuating. His person was spare, but well proportioned; and his countenance one of the finest in the world; serene—contemplative—benignant—with that expression of unclouded intelligence and extensive reach, which seemed to denote him capable of anything that could be effected by the power of the human mind. His mind itself was of a very fine order. It was clear, comprehensive, sagacious and correct; with a most acute and subtle faculty of discrimination; a fertility of expedient which could never be exhausted; a dexterity of address which never lost an advantage and never gave one; and a capacity for continued and unremitting application, which was perfectly invincible. As a lawyer and a statesman he had few equals; no superiors. For parliamentary management, he was without a rival. With all these advantages of person, manners, address and intellect, he was also a speaker of distinguished eminence. He had that silver voice of which Cicero makes such frequent and honorable mention—an articulation uncommonly distinct—a perennial stream of transparent, cool and sweet elocution; and the power of presenting his arguments with great simplicity, and striking effect. He was always graceful, argumentative, persuasive, never vehement, rapid, or abrupt. He could instruct and delight; but he had no pretensions to those high powers which are calculated to ‘shake the human soul.’”

Pendleton has also been described as the conservatist-revolutionist of the era, saying of himself, that his great aim was to “raise the spirits of the timid to a *general united opposition*,” and oppose “the violent who were for plunging us into rash measures.” Surely none better suited to the high and responsible position could have been chosen to preside over the Convention of Virginia, in December, 1775. This Convention was “held at the Town of Richmond, in the Colony of Virginia, on Friday, the first of December, in the



year of our Lord one thousand and seven hundred and seventy-five, and afterwards, by adjournment, in the City of Williamsburg." Its proceedings were such as the urgency of the times demanded. But no one can appreciate the perils and difficulties of those days, without realizing that the representatives of the people of Virginia were endowed "with wisdom from on high." Indeed, they had formerly declared their dependence upon the God of Hosts, (see the declaration of the Convention in their Journal of the 13th December, 1775,) and had lifted their arms in the name of "One mighty to save."

The first Ordinance enacted was "for raising an additional number of forces for the defence and protection of this Colony," and for otherwise perfecting their military system; next, "An Ordinance for appointing Sheriffs"; next, "An Ordinance for providing arms and ammunition for the use of this Colony"; next, "An Ordinance for revising and amending an Ordinance appointing a Committee of Safety"; and then, after making wise regulations concerning some matters of domestic policy, they passed a comprehensive "Ordinance for establishing a mode of punishment for the enemies to America in this Colony."

On the 19th day of April, 1775, the first blood of the Revolution was shed on the plains of Lexington, in Massachusetts. Eight Americans were killed. This battle was the signal of war, and not until Old Yorktown, Virginia, had witnessed the capitulation of Lord Cornwallis to General Washington, on October 19, 1781, did the storm of conflict abate.

In May, 1776, Virginia again assembled in Convention in Richmond, and the history of this momentous occasion cannot by another pen be so well described as by the accomplished historian, Bancroft, in the following :

"On the sixth of May, forty-five members of the House of Burgesses of Virginia met at the capitol in Williamsburg pursuant to their adjournment; but, as they were of the opinion that the ancient Constitution had been subverted by the King and Parliament of Great Britain, they dissolved themselves unanimously, and thus the last vestige of the King's authority passed away.

"The delegates of Virginia, who on the same morning assembled in convention not less than one hundred and thirty in number, were a constituent and an executive assembly. They represented the oldest and the largest Colony, whose institutions had been fashioned on the model recommended by Bacon, and whose inhabitants for nearly a hundred and seventy years had been eminently loyal, and had sustained the Church of England as the Establishment of the land.

"Its people, having in their origin a perceptible but never an exclusive influence of the Cavaliers, had sprung mainly from Adventurers, who were not fugitives for conscience' sake, or sufferers from persecution, or passionate partisans of monarchy. The population had been recruited by successive infusions of Scotch-Irish Presbyterians; Huguenots, and the descendants of Huguenots; men who had been so attached to Cromwell or to the republic that they preferred to emigrate on the return of Charles II.; Baptists and other dissenters; and in the valley of Virginia there was a very large German population. Beside all these, there was the great body of the backwoodsmen, rovers from Maryland and Pennsylvania, not caring much for the record of their lineage.

"The territory for which the convention was to act was not a limited one like that of Sparta or Attica; beginning at the ocean, it comprised the great Bay of the Chesapeake, with its central and southern tributaries; the beautiful valleys on the head-springs of the Roanoke and along the whole course of the Shenandoah; the country beyond the mountains, including the sources of the Monongahela and the Cumberland Rivers, and extending indefinitely to the Tennessee and beyond it. Nor that only; Virginia insisted that its jurisdiction stretched without bounds over all the country west and northwest of a line two hundred miles north of Old Point Comfort, not granted to others by royal charters; and there was no one to dispute a large part of this claim except the Province of Quebec under an Act of Parliament which the Continental Congress had annulled. For all this wide expanse, rich in soil, precious minerals, healing springs, forests, convenient marts for foreign commerce, the great pathways to the west, more fertile, more spacious than all Greece, Italy and Great Britain, than any region for which it had ever been proposed to establish republican liberty, a Constitution was to be framed.

"It has been discussed, whether the spirit that now prevailed was derived from Cavaliers, and whether it sprung from the inhabitants on tide water or was due to those of the uplands; the answer is plain: the movement in Virginia proceeded from the heart of Virginia herself, and represented the magnanimity of her own people. It did not spring, it could not spring, from sentiments generated by the by-gone loyalty to the Stuarts. The Ancient Dominion had with entire unanimity approved the change of dynasty of 1688; with equal unanimity, had, even more readily than the English, accepted the House of Hanover, and had been one of the most loyal parts of the empire of the Georges; the Revolution was due

to a keen sentiment of wrong and outrage, and was joined in with a oneness of spirit, which asked no questions about ancestry, or traditional affinities, or religious creed, or nearness to the sea or to the mountains. The story of the war commemorates the courage of the men of the interior; among the "inexorable families" Dunmore especially reported from the low country the Lees, and the whole family of Cary of Hampton, of whom even the sisters, married to a Fairfax and a Nicholas, cheered on their connections to unrelenting opposition. Virginia rose with as much unanimity as Connecticut or Massachusetts, and with a more commanding resolution.

"The purpose for which the convention was assembled appears from the words of the county of Buckingham to Charles Patterson and John Cabell, its Delegates: 'We instruct you to cause a total and final separation from Great Britain to take place as soon as possible; and a Constitution to be established, with a full representation, and free and frequent elections. As America is the last country of the world which has contended for her liberty, so she may be the most free and happy; taking advantage of her situation and strength, and having the experience of all before to profit by. The Supreme Being hath left it in our power to choose what government we please for our civil and religious happiness; good government and the prosperity of mankind can alone be in the divine intention; we pray therefore that, under the superintending providence of the Ruler of the universe, a government may be established in America, the most free, happy, and permanent that human wisdom can contrive and the perfection of man maintain.'

"The county of Augusta represented the necessity of making the confederacy of the united Colonies most perfect, independent, and lasting; and of framing an equal, free and liberal government, that might bear the test of all future ages. A petition was sent from the inhabitants of Transylvania, declaring that they were anxious to concur with their brethren of the united Colonies in every measure for the recovery of their rights and liberties.

"The inhabitants on the rivers Watauga and Holston set forth that 'they were deeply impressed with a sense of the distresses of their American brethren, and would, when called upon, with their lives and fortunes, lend them every assistance in their power; that they begged to be considered as a part of the Colony, and would readily embrace every opportunity of obeying any commands from the convention.'

"To that body were chosen more than one hundred and thirty of the ablest and most weighty men of Virginia. Among them were no rash enthusiasts for liberty; no lovers of revolution for the sake of change; no ambitious demagogues hoping for advancement by the overthrow of existing institutions; they were the choice of the freeholders of Virginia, and the majority were men of independent fortune, or even opulence. It was afterwards remembered that of this grave Assembly the members were for

the most part men of large stature and robust frames, and that a very great proportion of them lived to exceeding old age. They were now to decide whether Virginia demanded independence, and if so, they were to establish a Commonwealth; in making this decision, they moved like a pillar of fire in front of the whole country.

"When the delegates had assembled and appointed a clerk, Richard Bland recommended Edmund Pendleton to be chosen President, and was seconded by Archibald Cary; while Thomas Johnson of Louisa, and Bartholomew Dandridge, proposed Thomas Ludwell Lee. For a moment there was something like an array of parties, but it instantly subsided; Virginia showed her greatness by her moderation, and gave to the world new evidence that the Revolution sprung from necessity, by placing in the chair Pendleton, the most cautious and conservative among her patriots. After his election, he wrote to a friend: 'Of all others, I own I prefer the the true English Constitution, which consists of a proper combination of the principles of honor, virtue, and fear.'

"The Convention, after having been employed for some days on current business, resolved itself into a committee of the whole on the state of the Colony; and on the fifteenth Archibald Cary reported resolutions which had been drafted by Pendleton, offered by Nelson, and enforced by Henry. They were then twice read at the Clerk's table, and, one hundred and twelve members being present, were unanimously agreed to. The preamble enumerated their chief grievances; among others, that the King's representative in the Colony was training and employing slaves against their masters; and, they say: 'We have no alternative left but an abject submission or a total separation'; therefore, they went on to decree, 'that their delegates in Congress be instructed to propose to that body to declare the united Colonies free and independent states, absolved from all allegiance or dependence upon the Crown or Parliament of Great Britain; and that they give the assent of this Colony to such declaration, and to measures for forming foreign alliances and a Confederation of the Colonies; provided that the power of forming government for, and the regulation of the internal concerns of each Colony, be left to the respective colonial Legislatures.

"This resolution was received out of doors with chimes of bells and the noise of artillery; and the British flag, which had thus far kept its place on the statehouse, was struck, to be raised no more.

"In the following days, a committee of thirty-two was appointed to prepare a declaration of rights and a plan of government. Among the members were Archibald Cary; Patrick Henry, first of all in boldly maintaining the spirit of the resolution and influence over the members from the upper counties; the aged Richard Bland; Edmund Randolph, son of the attorney-general, who was then a refugee in England; Nicholas; James Madison, the youthful delegate from Orange county; but the one who at that moment held most sway over the mind of the convention was

George Mason, the successor of Washington in the representation of Fairfax county. He was a devoted member of the Church of England; and by his own account of himself, which is still preserved, 'though not born within the verge of the British isle, he had been an Englishman in his principles, a zealous assertor of the Act of Settlement, firmly attached to the royal family upon the throne, well affected to the King personally and to his government, in defence of which he would have shed the last drop of his blood; one who adored the wisdom and happiness of the British Constitution, and preferred it to any that then existed or had ever existed.' For ten years he claimed nothing for his countrymen beyond the liberty and privileges of Englishmen, in the same degree as if they had still continued among their brethren in Great Britain; but he said: 'The ancient poets, in their elegant manner of expression, have made a kind of being of Necessity, and tell us that the gods themselves are obliged to yield to her'; and he left the private life that he loved, to assist in the rescue of his country from the excesses of arbitrary power to which a seeming fatality had driven the British Ministers. He was a good speaker and an able debater, the more eloquent now for being touched with sorrow; but his great strength lay in his sincerity, which made him wise and bold, modest and unchanging, while it overawed his hearers. He was severe, but his severity was humane, with no tinge of bitterness, though he had a scorn for everything mean, cowardly, or low; and he always spoke out his convictions with frank directness. He had been truly loyal; on renouncing his King, he could stand justified to his own conscience only by an unselfish attachment to human freedom.

• • "On the twenty-seventh of May, Cary, from the committee, presented to the Convention the Declaration of Rights which Mason had drafted. For the next fortnight the great truths which it proclaimed, and which were to form the groundwork of American institutions, employed the thoughts of the Convention, and during several successive days were the subject of solemn deliberation. One clause only received a material amendment. Mason had written that all should enjoy the fullest toleration in the exercise of religion. But toleration is the demand of the skeptic, who has no fixed belief, and only wishes to be let alone; a firm faith, which is too easily tempted to establish itself exclusively, can be content with nothing less than equality. A young man, then unknown to fame, of a bright hazel eye inclining to gray, small in stature, light in person, delicate in appearance, looking like a pallid, sickly scholar among the robust men with whom he was associated, proposed an amendment. He was James Madison, the son of an Orange county planter, bred in the school of Presbyterian dissenters under Witherspoon at Princeton, trained by his own studies, by meditative rural life in the Old Dominion, by an ingenuous indignation at the persecutions of the Baptists, by the innate principles of right, to uphold the sanctity of religious freedom. He objected to the word "toleration," because it implied an established

religion, which endured dissent only as a condescension; and, as the earnestness of his convictions overcame his modesty, he went on to demonstrate that 'all men are equally entitled to the free exercise of religion, according to the dictates of conscience.' His motion, which did but state with better dialectics the very purpose which Mason wished to accomplish, obtained the suffrages of his colleagues.

### "A DECLARATION OF RIGHTS

MADE BY THE REPRESENTATIVES OF THE GOOD PEOPLE OF VIRGINIA,

ASSEMBLED IN FULL AND FREE CONVENTION ;

WHICH RIGHTS DO PERTAIN TO THEM, AND THEIR POSTERITY,

AS THE BASIS AND FOUNDATION OF GOVERNMENT.

(Unanimously adopted June 12, 1776.)

"1. That all men are by nature equally free and independent, and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.

"2. That all power is vested in, and consequently derived from, the people; that magistrates are their trustees and servants, and at all times amenable to them.

"3. That government is, or ought to be, instituted for the common benefit, protection, and security of the people, nation, or community; of all the various modes and forms of government that is best, which is capable of producing the greatest degree of happiness and safety, and is most effectually secured against the danger of mal-administration; and that whenever any government shall be found inadequate or contrary to these purposes, a majority of the community hath an indubitable, unalienable, and infeasible right to reform, alter, or abolish it, in such manner as shall be judged most conducive to the public weal.

"4. That no man, or set of men, are entitled to exclusive or separate emoluments or privileges from the community, but in consideration of publick services; which, not being descendible, neither ought the offices of magistrate, legislator, or judge to be hereditary.

"5. That the legislative and executive powers of the state should be separate and distinct from the judiciary; and that the members of the two first may be restrained from oppression, by feeling and participating the burthens of the people, they should, at fixed periods, be reduced to a private station, return into that body from which they were originally taken, and the vacancies be supplied by frequent, certain, and regular elections, in which all, or any part of the former members, to be again eligible, or ineligible, as the laws shall direct.

"6. That elections of members to serve as representatives of the peo-

ple, in assembly, ought to be free; and that all men, having sufficient evidence of permanent, common interest with, and attachment to, the community, have the right of suffrage, and cannot be taxed or deprived of their property for publick uses without their own consent, or that of their representatives so elected, nor bound by any law to which they have not, in like manner, assented, for the publick good.

"7. That all power of suspending laws, or the execution of laws, by any authority without consent of the representatives of the people, 'is injurious to their rights, and ought not to be exercised.

"8. That in all capital or criminal prosecutions a man hath a right to demand the cause and nature of his accusation, to be confronted with the accusers and witnesses, to call for evidence in his favour, and to a speedy trial by an impartial jury of his vicinage, without whose unanimous consent he cannot be found guilty; nor can he be compelled to give evidence against himself; that no man be deprived of his liberty except by the law of the land, or the judgment of his peers.

"9. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

"10. That general warrants, whereby any officer or messenger may be commanded to search suspected places without evidence of a fact committed, or to seize any person or persons not named, or whose offence is not particularly described and supported by evidence, are grievous and oppressive, and ought not to be granted.

"11. That in controversies, respecting property, and in suits between man and man, the ancient trial by jury is preferable to any other, and ought to be held sacred.

"12. That the freedom of the press is one of the great bulwarks of liberty, and can never be restrained but by despotick governments.

"13. That a well regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defence of a free state; that standing armies, in time of peace, should be avoided, as dangerous to liberty; and that, in all cases, the military should be under strict subordination to, and governed by, the civil power.

"14. That the people have a right to uniform government; and therefore, that no government separate from, or independent of, the government of *Virginia*, ought to be erected or established within the limits thereof.

"15. That no free government, or the blessing of liberty, can be preserved to any people but by a firm adherence to justice, moderation, temperance, frugality, and virtue, and by frequent recurrence to fundamental principles.

"16. That religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence, and therefore all men are equally entitled to the free exercise of religion, according to the dictates of conscience; and that

it is the mutual duty of all to practise Christian forbearance, love, and charity towards each other.

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“Other colonies had framed bills of rights in reference to their relations with Britain; Virginia moved from charters and customs to primal principles; from a narrow altercation about facts to the contemplation of immutable truth. She summoned the eternal laws of man’s being to protest against all tyranny. The English petition of right in 1688 was historic and retrospective; the Virginia declaration came out of the heart of nature, and announced governing principles for all peoples in all future times. It was the voice of reason going forth to speak a new political world into being. At the bar of humanity Virginia gave the name and fame of her sons as hostages that her public life should show a likeness to the highest ideas of right and equal freedom among men.”

Thus beautifully does Bancroft describe that ever-to-be-remembered Convention, which gave to the human race the Bill of Rights.

On the 29th June, 1776, a Constitution or form of government was unanimously adopted by this Convention, and Patrick Henry, the people’s idol, immediately elected first Governor of the Commonwealth of Virginia, with Edmund Randolph as Attorney-General. A short time before, on the 7th of June, 1776, Richard Henry Lee had moved in Congress, “That these united Colonies are and ought to be free and independent states, and that all political connection between them and the State of Great Britain is and ought to be totally dissolved.” John Adams seconded the motion. After animated debate, a committee was appointed to draw up the “Declaration.” Richard Henry Lee having been called away to Virginia by illness in his family, the position which belonged to him (as by courtesy, chairman of this committee,) was conferred on Thomas Jefferson. He accordingly drew up the paper, and on July 4, 1776, the Declaration of Independence was adopted by Congress.

Among the contributions of Virginia to the cause of America up to this juncture may be noted :

The Resolutions of 1765, denouncing the Stamp Act ;

The originating in 1773 the Committees of Correspondence, which first united the Colonies ;



The call in 1774, by her Convention, for a General Congress ;

The instructions, by the Convention of May, 1776, to the Virginia delegates, to propose a Declaration of Independence, which Richard Henry Lee moved in Congress, which Thomas Jefferson wrote, and which Washington was by his sword to lay broad and deep as the corner-stone of Republican liberty.

# LXX.

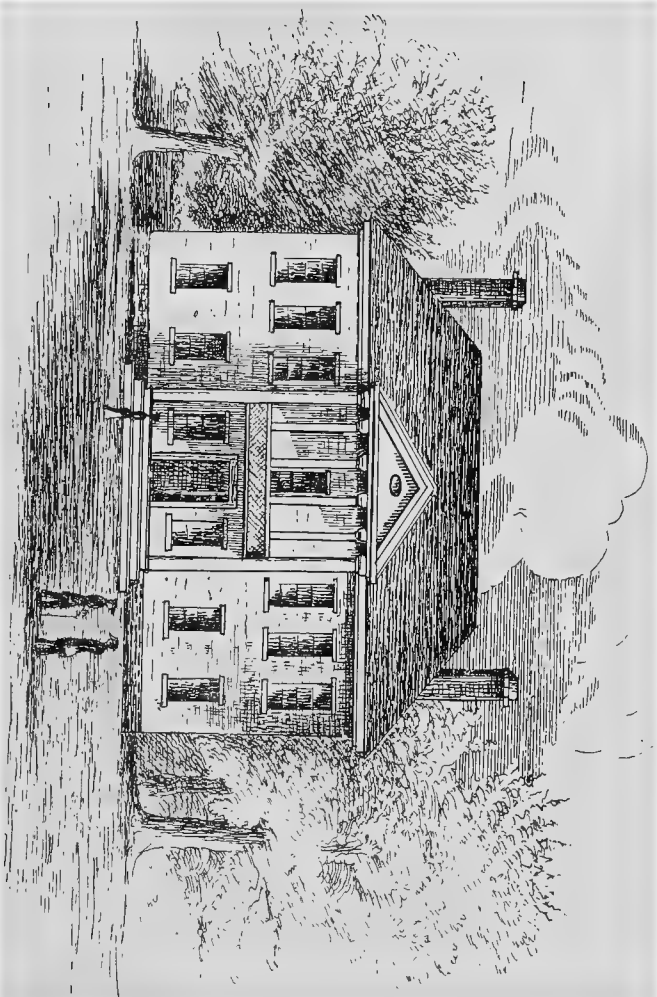
## PATRICK HENRY.

*Governor.*

June 29, 1776, to June 1, 1779.

PATRICK HENRY, the second son of John and Sarah Henry, and one of nine children, was born on the 29th of May, 1736, at the family seat, called "Studley," in the County of Hanover and Colony of Virginia. In his early childhood his parents removed to another seat in the same county, then called "Mount Brilliant," now, "The Retreat." At this last place Patrick Henry was raised and educated. His parents, though not rich, were in easy circumstances, and in point of personal character were among the most respectable inhabitants of the Colony.

Patrick Henry was sent first to an "old field school," where, at that period, tuition was chiefly confined to the primary departments of learning. Under his father he acquired a competent English education and some acquaintance with Latin and mathematics. As a boy, he was fond of hunting and angling, and would desert his books at any moment for these pleasures, loving, at that time, such amusements far better than any serious employment. Merchandise and agriculture, and merchandise again, he tried in turn without success, until about 1759, when at the age of twenty-four he embraced the study of law. This was the turning point in his life. Having when eighteen years old married Miss Sarah Shelton, of Hanover County, Virginia, it well behooved him to make some decided advance in life. He had met with disappointments, and the past was marked with failures, but this stage of Patrick Henry's experience was the deep darkness just before the dawn. At last he had found the path for which he was designed, and now, with him "old things are passed away ;



THE HEART OF THE REBELLION,  
Old Capitol, Williamsburg, Va.



behold, all things are become new." A new heaven and a new earth spread before him, and henceforth hitherto unseen constellations were to guide the future statesman. It has been said that from the beginning of his career as a lawyer, Mr. Henry's practice was extensive; it has been frequently asserted on the other hand, that he was not distinguished at the bar for three years after he adopted his interesting profession. Be these facts as they may, it is recorded history that Patrick Henry's first great impression upon the public was on the first of December, 1763, in the trial at Hanover Court House, of "The Parson's Cause." In this celebrated case the clergy were arrayed against the people, and the contest was a bitter one. The clergy were entitled by law to 16,000 pounds of tobacco per annum, each, and the Acts of the House of Burgesses, in 1755 and 1758, curtailed very sensibly their revenue. Owing to the failure in these years of the tobacco crop, these Acts provide that "all persons from whom any tobacco was due, were authorized to pay the same, either in tobacco or in money, after the rate of sixteen shillings and eight pence per hundred, at the option of the debtor." These Acts were to continue, severally, for ten months and no longer. The law was universal in its application, but bore specially on the clergy of the Established Church. They resolved to bring the question to a judicial test, and suits were accordingly brought by them, in the various County Courts of the Colony, to recover their stipends in the specific, tobacco. They selected the County of Hanover as the place of the first experiment. The case went against the defendants, and Mr. John Lewis, their attorney, convinced that nothing more could be done, retired from the cause. In this desperate situation Mr. Lewis's clients applied to Patrick Henry, and he undertook to argue the case for them before a jury at the ensuing term of Court.

Mr. William Wirt, of Richmond, Va., the accomplished biographer of Patrick Henry, gives a soul-stirring account of this scene; he says:

"He rose very awkwardly, and faltered much in his exordium. The

people hung their heads at so unpromising a commencement; the clergy were observed to exchange sly looks with each other; and his father is described as having almost sunk with confusion from his seat. But, these feelings were of short duration and soon gave place to others of a very different character. For, now were those wonderful faculties which he possessed, for the first time developed; and now was first witnessed that mysterious and almost supernatural transformation of appearance which the fire of his own eloquence never failed to work in him. His attitude, by degrees, became erect and lofty. The spirit of his genius awakened all his features. His countenance shone with a nobleness and grandeur which it had never before exhibited. There was a lightning in his eyes which seemed to rive the spectator. His action became graceful, bold, and commanding, and in the tones of his voice, but more especially in his emphasis, there was a peculiar charm, a magic of which any one who ever heard him will speak as soon as he is named, but of which no one can give any adequate description. They can only say that it struck upon the ear and upon the heart *in a manner which language cannot tell*. Add to all these his wonder-working fancy, and the peculiar phraseology in which he clothed its images; for he painted to the heart with a force that almost petrified it. It will not be difficult for any one who ever heard this most extraordinary man to believe the whole account of this transaction which is given by his surviving hearers; and from their account the Court House of Hanover County must have exhibited on this occasion a scene as picturesque as has been ever witnessed in real life.

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"In less than twenty minutes the people might be seen in every part of the house, on every bench, in every window, stooping forward from their stands in death-like silence, their features fixed in amazement and awe, all their senses listening and riveted upon the speaker, as if to catch the last strain of some heavenly visitant. The mockery of the clergy soon turned into alarm; their triumph, into confusion and despair; and at one burst of his rapid and overwhelming invective, they fled from the bench in precipitation and terror. As for his father, such was his surprise, such his amazement, such his rapture, that, forgetting where he was and the character which he was filling, tears of ecstacy streamed down his cheeks, without the power or inclination to repress them."

Such is William Wirt's vivid picture of that Court House scene, the sequel to which is so well known. The jury had scarcely left the bar, when they returned with a verdict of *one penny damages*; a motion for a new trial was overruled, and amidst the redoubled acclamations of the people, this forest-born Demosthenes was borne upon their shoulders out

of the Court House and around the green. In that brief hour he had taken captive the heart of Virginia, and had burst upon the public gaze like Minerva from the brain of Jove, in full armor and with a mighty war shout. Henceforth he was to go forth conquering and to conquer.

In 1764, Mr. Henry removed from Hanover to the County of Louisa, and resided at a place called "The Roundabout." It was in the fall of this year that he had an opportunity of distinguishing himself upon a new theatre. A contest occurred in the House of Burgesses in the case of Mr. James Littlepage, the returned member for the County of Hanover. The rival candidate and petitioner was Nathaniel West Dandridge. The charge against Mr. Littlepage was bribery and corruption. The parties were heard by their counsel, before the committee on Privileges and Elections, and Mr. Henry was on this occasion employed by Mr. Dandridge. He here struck amazement into the committee by his eloquence and brilliant display on the great subject of the rights of suffrage "superior to anything that had been heard before within those walls."

On the 1st of May, 1765, Mr. Henry entered the House of Burgesses as the representative from Louisa County, and by some resolutions which he introduced in reference to The Stamp Act, obtained the honor of being *the first to inaugurate open opposition* to the oppressive measures of the British Crown. This opposition was doomed to result in a bloody struggle, but through crimson fields of revolution the desperate patriots marched to victory and blood-bought independence. In 1767, Mr. Henry removed from Louisa to his native county, Hanover, but was continued a member of the House of Burgesses. In 1769, he was admitted to the Bar of the General Court, and rose to distinguished prominence in his profession.

But, events were hurrying on a mighty conflict between the mother country and the Colonies, and soon Patrick Henry was to display his complex genius upon a wider field of action. He was to become the ardent, imposing, dazzling orator of the Revolution, moving men not only by that irresistible eloquence which took them captive, but

also leading them whither he would, by a nerve and resolution which was indomitable.

Much has already, in other articles in this work, been said of Patrick Henry's eloquence and zeal in the Virginia Conventions of 1774, 1775, and 1776; also of his brilliant appeals in the Continental Congress of 1774 and of 1775. In this last year, 1775, he lost the wife of his youth, who had shared the changing fortunes of his early life. Soon after, he sold the farm in Hanover called "Scotch Town," on which he had resided, and purchased about ten thousand acres of land in Henry County. This county was formed in 1776 from Pittsylvania County, and named in his honor, as was subsequently the neighboring county of Patrick, carved from Henry County in 1791. His estate in Henry County was known as "Leatherwood."

In April, 1775, Lord Dunmore, Governor of the Colony of Virginia, removed secretly all the powder from the magazine at Williamsburg, to a sloop of war lying in the York River. This step naturally aroused the deepest feelings of resentment among the people, and Patrick Henry, stepping to the front, placed himself at the head of the company of Captain Samuel Meredith (who resigned in his favor), of Hanover County, and marched upon Williamsburg. The effect of this movement was like magic. Companies started up on all sides, and it is said that five thousand men, at least, were in arms and crossing the country to crowd around Henry's standard and support it with their lives. The march was conducted with the greatest regard for private rights, and in perfect order. But, this advance meant an appeal to Heaven, that last resort *when there can be no judge on earth*. This crisis Patrick Henry saw, although the patriots in Williamsburg were not prepared to grasp the situation. Messenger after messenger was sent to meet Captain Henry and beg him to desist and discharge his men. In vain; he had resolved to effect his purpose or perish in the attempt. Dunmore, alarmed at his warlike advance, sent out to meet him, and paid a satisfactory equivalent of £330 for the powder. Lord Dunmore, in consequence of these proceedings, issued a proclamation denouncing



“a certain Patrick Henry, of the County of Hanover, and a number of deluded followers”; but, his threats were useless, and this brave man by this brave act became enthroned more permanently in the hearts of his people.

In June, 1775, Mr. Henry was appointed Colonel of the First Virginia Regiment, and Commander-in-Chief of all the forces of the Colony. He at once went into camp at Williamsburg and ardently began recruiting and disciplining the troops. Lord Dunmore (having fled from Williamsburg) was at this time ravaging the shores of the Chesapeake and threatening Norfolk, and the Committee of Safety was compelled to take prompt action. Colonel William Woodford, of the Second Virginia Regiment, was detached at the head of a greater portion of the forces against the enemy, and with his few, raw, Virginia recruits drove back the best trained English soldiers and gained a brilliant victory at the battle of Great Bridge. The action of the Committee of Safety in selecting Woodford (who had distinguished himself in the French and Indian war) to command this expedition was in consequence of his military experience. But this promotion of Woodford over Colonel Henry, and later, the advancement in the continental line to the rank of Brigadier-General of two Colonels, to whose appointments his own was prior, so wounded Henry's spirit that he resigned his commission. Public feeling rose high in sympathy with him, and his resignation nearly produced a mutiny in the Army. But though adverse influences were at work against Henry's career as a soldier, the Committee of Safety and Congress had “builded better” than they knew. Guided by The Hand into whose keeping they had committed their destinies, they were setting aside from the perils of war, one, who in the conduct of the Revolution, they could not spare from their councils. That clarion voice must not be hushed in the wild din of battle; that leader of men's thoughts must not be given to the mercy of the sword!

The following is the notice of Colonel Henry's resignation, in Purdie's paper, of March 1, 1776 :

“Yesterday morning the troops in this city (Williamsburg) being

informed that Patrick Henry, Esquire, Commander-in-Chief of the Virginia forces, was about to leave them, the whole went into deep mourning, and, being under arms, waited on him at his lodgings, where they addressed him in the following manner," etc., etc.

Immediately after resigning his commission as Colonel, and withdrawing from the immediate concerns of war, Patrick Henry was elected delegate from Hanover County to the Convention which was to meet May 6, 1776, at Williamsburg. On the 12th of June, in this Convention, was adopted the "Bill of Rights," and on the 29th of the same month, "The Constitution, or Form of Government," was unanimously adopted by Virginia. These two celebrated papers were prepared by George Mason, of Virginia, and stand a permanent monument to his patriotism and ability.

THE CONSTITUTION  
OR  
FORM OF GOVERNMENT  
AGREED TO AND RESOLVED UPON BY THE  
DELEGATES AND REPRESENTATIVES  
OF THE SEVERAL  
COUNTIES AND CORPORATIONS  
OF VIRGINIA.

(Unanimously adopted, June 29, 1776.)

I. Whereas George the third, King of Great Britain and Ireland, and elector of Hanover, heretofore intrusted with the exercise of kingly office in this government, hath endeavoured to pervert the same into a detestable and insupportable tyranny, by putting his negative on laws the most wholesome and necessary for the publick good:

By denying his governours permission to pass laws of immediate and pressing importance, unless suspended in their operation for his assent, and, when so suspended, neglecting to attend to them for many years:

By refusing to pass certain other laws, unless the persons to be benefitted by them would relinquish the inestimable right of representation in the legislature:

By dissolving legislative Assemblies repeatedly and continually, for opposing with manly firmness his invasions of the rights of the people:

When dissolved, by refusing to call others for a long space of time, thereby leaving the political system without any legislative head:

By endeavouring to prevent the population of our country, and for that purpose, obstructing the laws for the naturalization of foreigners:

By keeping amongst us, in times of peace, standing armies and ships of war:

By affecting to render the military independent of, and superiour to, the civil power :

By combining with others to subject us to a foreign jurisdiction, giving his assent to their pretended acts of legislation :

For quartering large bodies of armed troops among us :

For cutting off our trade with all parts of the world :

For imposing taxes on us without our consent :

For depriving us of the benefits of trial by jury :

For transporting us beyond seas, to be tried for pretended offences :

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever :

By plundering our seas, ravaging our coasts, burning our towns, and destroying the lives of our people :

By inciting insurrections of our fellow-subjects, with the allurements of forfeiture and confiscation :

By prompting our negroes to rise in arms among us, those very negroes whom, by an inhuman use of his negative, he hath refused us permission to exclude by law :

By endeavouring to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions of existence :

By transporting, at this time, a large army of foreign mercenaries, to complete the works of death, desolation, and tyranny already begun with circumstances of cruelty and perfidy unworthy the head of a civilized nation :

By answering our repeated petitions for redress with a repetition of injuries: And, finally, by abandoning the helm of government, and declaring us out of his allegiance and protection.

By which several acts of misrule, the government of this country, as formerly exercised under the crown of Great Britain, is **TOTALLY DIS-SOLVED**.

II. We therefore, the delegates and representatives of the good people of Virginia, having maturely considered the premises, and viewing with great concern the deplorable condition to which this once happy country must be reduced, unless some regular, adequate mode of civil polity is speedily adopted, and in compliance with a recommendation of the General Congress, do ordain and declare the future form of government of Virginia to be as followeth :

III. The legislative, executive, and judiciary departments shall be separate and distinct, so that neither exercise the powers properly belonging to the other ; nor shall any person exercise the powers of more than one of them at the same time, except that the justices of the county courts shall be eligible to either House of Assembly.

IV. The legislative shall be formed of two distinct branches, who, together, shall be a complete legislature. They shall meet once, or oftener,

every year, and shall be called the General Assembly of Virginia.

V. One of these shall be called the House of Delegates, and consist of two representatives to be chosen for each county, and for the district of West Augusta, annually, of such men as actually reside in and are freeholders of the same, or duly qualified according to law, and also one delegate or representative to be chosen annually for the city of Williamsburg, and one for the borough of Norfolk, and a representative for each of such other cities and boroughs as may hereafter be allowed particular representation by the legislature; but when any city or borough shall so decrease as that the number of persons having right of suffrage therein shall have been for the space of seven years successively less than half the number of voters in some one county in Virginia, such city or borough thenceforward shall cease to send a delegate or representative to the assembly.

VI. The other shall be called the Senate, and consist of twenty-four members, of whom thirteen shall constitute a House to proceed on business, for whose election the different counties shall be divided into twenty-four districts, and each county of the respective district, at the time of the election of its delegates, shall vote for one Senator, who is actually a resident and freeholder within the district, or duly qualified according to law, and is upwards of twenty-five years of age; and the sheriffs of each county within five days at farthest after the last county election in the district, shall meet at some convenient place, and from the poll so taken in their respective counties return as a Senator the man who shall have the greatest number of votes in the whole district. To keep up this Assembly by rotation, the districts shall be equally divided into four classes, and numbered by lot. At the end of one year after the general election, the six members elected by the first division shall be displaced, and the vacancies thereby occasioned supplied from such class or division, by new election, in the manner aforesaid. This rotation shall be applied to each division, according to its number, and continued in due order annually.

VII. The right of suffrage in the election of members for both Houses shall remain as exercised at present, and each House shall choose its own speaker, appoint its own officers, settle its own rules of proceeding, and direct writs of election for supplying intermediate vacancies.

VIII. All laws originate in the House of Delegates, to be approved or rejected by the Senate, or to be amended with the consent of the House of Delegates; except money bills, which in no instance shall be altered by the Senate, but wholly approved or rejected.

IX. A Governor, or chief magistrate, shall be chosen annually, by joint ballot of both Houses, to be taken in each house respectively, deposited in the conference room, the boxes examined jointly by a committee of each house, and the numbers severally reported to them, that the appointments may be entered, (which shall be the mode of taking the joint ballot of both Houses in all cases) who shall not continue in that office longer than three years successively, nor be eligible until the expiration of four

years after he shall have been out of that office. An adequate, but moderate salary, shall be settled on him during his continuance in office; and he shall, with advice of a Council of State, exercise the executive powers of government according to the laws of this commonwealth; and shall not, under any pretence, exercise any power or prerogative by virtue of any law, statute, or custom, of ENGLAND: But he shall, with the advice of the Council of State, have the power of granting reprieves or pardons, except where prosecution shall have been carried on by the House of Delegates, or the law shall otherwise particularly direct; in which cases, no reprieve or pardon shall be granted, but by resolve of the House of Delegates.

X. Either House of the General Assembly may adjourn themselves respectively. The Governour shall not prorogue or adjourn the Assembly during their sitting, nor dissolve them at any time; but he shall, if necessary, either by advice of the Council of State, or on application of a majority of the House of Delegates, call them before the time to which they shall stand prorogued or adjourned.

XI. A Privy Council, or Council of State, consisting of eight members, shall be chosen by joint ballot of both Houses of Assembly, either from their own members or the people at large, to assist in the administration of government. They shall annually choose out of their own members a president, who, in case of the death, inability, or necessary absence of the Governour from the government, shall act as Lieutenant-Governour. Four members shall be sufficient to act, and their advice and proceedings shall be entered of record, and signed by the members present (to any part whereof any member may enter his dissent) to be laid before the General Assembly, when called for by them. This Council may appoint their own clerk, who shall have a salary settled by law, and take an oath of secrecy in such matters as he shall be directed by the board to conceal. A sum of money appropriated to that purpose shall be divided annually among the members, in proportion to their attendance; and they shall be incapable, during their continuance in office, of sitting in either House of Assembly. Two members shall be removed by joint ballot of both Houses of Assembly at the end of every three years, and be ineligible for the three next years. These vacancies, as well as those occasioned by death or incapacity, shall be supplied by new elections, in the same manner.

XII. The delegates for Virginia to the Continental Congress shall be chosen annually, or superseded in the meantime by joint ballot of both Houses of Assembly.

XIII. The present militia officers shall be continued, and vacancies supplied by appointment of the Governour, with the advice of the Privy Council, or recommendations from the respective county courts; but the Governour and Council shall have a power of suspending any officer, and ordering a court-martial on complaint of misbehaviour or inability, or to supply vacancies of officers happening when in actual service. The Gov-

ernour may embody the militia, with the advice of the Privy Council; and, when embodied, shall alone have the direction of the militia under the laws of the country.

The two Houses of Assembly shall, by joint ballot, appoint Judges of the Supreme Court of Appeals, and General Court, Judges in Chancery, Judges of Admiralty, Secretary, and the Attorney-General, to be commissioned by the Governour, and continue in office during good behaviour. In case of death, incapacity, or resignation, the Governour, with the advice of the Privy Council, shall appoint persons to succeed in office, to be approved or displaced by both Houses. These officers shall have fixed and adequate salaries, and, together with all others holding lucrative offices, and all ministers of the Gospel of every denomination, be incapable of being elected members of either House of Assembly, or the Privy Council.

XV. The Governour, with the advice of the Privy Council, shall appoint Justices of the Peace for the counties; and in case of vacancies, or a necessity of increasing the number hereafter, such appointments to be made upon the recommendation of the respective county courts. The present acting Secretary in Virginia, and Clerks of all the County Courts, shall continue in office. In case of vacancies, either by death, incapacity, or resignation, a Secretary shall be appointed as before directed, and the Clerks, by the respective courts. The present and future Clerks shall hold their offices during good behaviour, to be judged of and determined in the General Court. The Sheriffs and Coroners shall be nominated by the respective courts, approved by the Governour, with the advice of the Privy Council, and commissioned by the Governour. The Justices shall appoint Constables and all fees of the aforesaid officers be regulated by law.

XVI. The Governour, when he is out of office, and others offending against the state, either by mal-administration, corruption, or other means by which the safety of the state may be endangered, shall be impeachable by the House of Delegates; Such impeachment to be prosecuted by the Attorney-General, or such other person or persons as the House may appoint in the General Court, according to the laws of the land. If found guilty, he or they shall be either forever disabled to hold any office under government, or removed from such office *pro tempore*, or subjected to such pains or penalties as the law shall direct.

XVII. If all, or any of the Judges of the General Court, shall, on good grounds (to be judged of by the House Delegates) be accused of any of the crimes or offences before-mentioned, such House of Delegates may in like manner, impeach the Judge or Judges so accused, to be prosecuted in the Court of Appeals; and he or they, if found guilty, shall be punished in the same manner as is prescribed in the preceding clause.

XVIII. Commissions and grants shall run, IN THE NAME OF THE COMMONWEALTH OF VIRGINIA, and bear test by the Governour with

the seal of the commonwealth annexed. Writs shall run in the same manner, and bear test by the clerks of the several courts. Indictments shall conclude, AGAINST THE PEACE AND DIGNITY OF THE COMMONWEALTH.

XIX. A treasurer shall be appointed annually by joint ballot of both Houses.

XX. All escheats, penalties, and forfeitures, heretofore going to the King, shall go to the Commonwealth, save only such as the legislature may abolish, or otherwise provide for.

XXI. The territories contained within the charters erecting the colonies, Maryland, Pennsylvania, North and South Carolina, are hereby ceded, released, and forever confirmed to the people of those colonies respectively, with all the rights of property, jurisdiction, and government, and all other rights whatsoever which might at any time heretofore have been claimed by *Virginia*, except the free navigation and use of the rivers *Potowmack* and *Pohomoke*, with the property of the *Virginia* shores or strands bordering on either of the said rivers, and all improvements which have been or shall be made thereon. The western and northern extent of *Virginia* shall in all other respects stand as fixed by the charter of king James the first, in the year one thousand six hundred and nine, and by the publick treaty of peace between the courts of Great Britain and France in the year one thousand seven hundred and sixty three; unless, by act of legislature, one or more territories shall hereafter be laid off, and governments established westward of the *Allegheny* mountains. And no purchase of lands shall be made of the *Indian* natives but on behalf of the publick, by authority of the General Assembly.

XXII. In order to introduce this government, the representatives of the people met in Convention, shall choose a Governor and Privy Council, also such other officers directed to be chosen by both Houses as may be judged necessary to be immediately appointed. The Senate to be first chosen by the people, to continue until the last day of *March* next, and the other officers until the end of the succeeding session of Assembly. In case of vacancies, the speaker of either House shall issue writs for new elections.

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The salary of the Governor to be appointed under the new Constitution, was immediately fixed by a resolution of the Convention, at one thousand pounds per annum, and the House proceeded to elect forthwith the first Republican Governor for the Commonwealth of Virginia. The question was decided on the first ballot, and Patrick Henry was the choice of these representatives of the people. In his reply "To the Honourable, the President and House of Convention," in concluding his letter of acceptance, he says :

"I shall enter upon the duties of my office, whenever you, gentlemen, shall be pleased to direct; relying upon the known wisdom and virtue of your honourable house to supply my defects, and to give permanency and success to that system of government which you have formed and which is so wisely calculated to secure equal liberty, and advance human happiness."

On the day that Virginia adopted her Constitution, she raised her chosen son to the highest office within her gift. And so, Patrick Henry, turned by an unseen Hand from the path to military fame, must wear the civic wreath with which his people crowned him. The brilliant orator, the daring soldier, had now the statesman's honors to bear before the world, and as a minister of the public weal, must prove worthy of the high confidence of his compatriots.

The following extract from the Williamsburg Gazette affords a realistic picture of colonial life at this perilous time. On the 15th of May, 1776, the Convention of Virginia passed Resolutions instructing their delegates in Congress to propose to that body "to declare the United Colonies free and independent states."

Extract from Williamsburg Gazette, of May 17th, 1776:

"In consequence of the above resolutions, universally regarded as the only door which will lead to safety and prosperity, some gentlemen made a handsome collection for the purpose of treating the soldiery, who next day (May 16th) were paraded in Waller's Grove, before Brigadier-General Lewis, attended by the gentlemen of the Committee of Safety, the members of the General Convention, the inhabitants of this City, etc., etc. The resolutions being read aloud to the Army, the following toasts were given, each of them accompanied by a discharge of the Artillery and small arms, and the acclamations of all present:

"1. The American Independent States.

"2. The Grand Congress of the United States and their respective Legislatures.

"3. General Washington and victory to the American arms.

"The Union Flag of the American States waved upon the Capitol during the whole of this ceremony; which being ended the soldiers partook of the refreshments prepared for them by the affection of their countrymen, and the evening concluded with illuminations and other demonstrations of joy; every one seeming pleased that the domination of Great Britain was now at an end, so wickedly and tyrannically exercised for these twelve or thirteen years past, notwithstanding our repeated prayers and remonstrances for redress."



"The Union Flag of the American States" here spoken of, was probably one of the "Union flags" so frequently mentioned in the newspapers of those days, viz.: An ordinary English red ensign, bearing the Union jack, and carrying some patriotic motto, such as "Liberty," "Liberty and Property," "Liberty and Union," etc., etc.

In investigating the character of the earliest banners borne by the revolutionary colonists in the South, we find that the one adopted in South Carolina, September, 1775, was a large blue flag, made with a white crescent in the dexter corner. William Moultrie, Colonel of the Second South Carolina Regiment, selected this design, as the First and Second South Carolina Regiments wore in front of their caps a silver crescent. The flag bore also the word "Liberty" across its centre. The first armed vessels commissioned by Washington sailed under a white flag with a green pine-tree. A yellow ensign bearing the device of a rattlesnake in the attitude of striking, with the motto, "Don't tread on me," had also been previously used. This emblem was suggested, probably, by the cuts displayed at the head of many newspapers of the time, which represented a snake divided into thirteen parts, each bearing the abbreviation of a Colony with the motto beneath, "Join or Die," typifying the necessity of union. On the 1st January, 1776, the tri-colored American banner, not yet spangled with stars, but showing thirteen alternate stripes of red and white, with the united red and white crosses of St. George and St. Andrew on a blue ground in the corner, was unfurled over the new Continental Army around Boston. It was given to the breeze at a critical moment, for this untried army consisted of but 9650 men.

The first recorded legislative action for the adoption of a national flag, was on June 14, 1777, when Congress resolved "that the flag of the thirteen United States be thirteen stripes, alternate red and white; that the Union be thirteen stars, white in a blue field, representing a new constellation." It is not known by whom the stars were originally suggested.

After the Constitution of Virginia had been adopted, her

statesmen next proceeded to select a device and motto for her seal. It seems like turning our eyes back to the first crimson streak upon the horizon of America, as we recall that earliest seal used upon Virginia soil when King James I. ordered April 10, 1606, that his portraiture should be engraven on the one side with the inscription, "*Sigilvm Regis Magnæ Britaniæ, Franciæ et Hiberniæ,*" and on the other side, his Arms, with the inscription, "*Pro Concilio Primæ Coloniae Virginiae.*"

To Queen Elizabeth's titles had been added that of "Queen of Virginia," and James I., who was already the titular sovereign of four realms, now accepted as the motto for the London Company's coat-of-arms, "*Lo! Virginia gives a fifth crown.*" Although the accession of James VI. of Scotland, in 1603, to the throne of England as James I. really joined the two nations in one, still the countries were not legislatively united until 1707. After this union the motto of the Virginia arms consisted of the English shield, with the inscription, "*En Dat Virginia Quartam.*"

During the reign of Queen Anne, 1710, the broad seal of the Colony of Virginia represented a crowned female figure extending the symbol of the cross to an Indian, who, kneeling, offers her the first fruits of the land. The inscription on this seal was "*Sigillvm Provinciæ Virginia in America,*" "*En Dat Virginia Quartam.*"

And now, last and best, we have the seal as proposed in the Convention of 1776, by Mr. George Wythe, and chosen by that body. On the obverse side is a female figure resting on a spear with one hand and holding a sword in the other, representing Virtue; her foot is pressed upon the neck of Tyranny, indicated by a prostrate man, with a crown falling from his head, a broken chain in his left hand and a scourge in his right. Over the head of Virtue is engraved, "*Virginia,*" and beneath her feet is inscribed, "*Sic Semper Tyrannis.*" In 1779, when Thomas Jefferson was Governor, the General Assembly ordered "*Perseverando*" to be engraved on the reverse side of the great seal of Virginia. Better than the portraiture of Kings, or the emblazoned

shields of heraldry, is this sacred emblem of our liberty. Through it we read the souls of those who stamped their image on it, and learn that human happiness has no security but in freedom; and that freedom has no foundation but in virtue.

To return now to the consideration of Patrick Henry's life, we find that as soon as he was elected Governor preparations were made to provide a suitable residence for him at the Capital. The Governor's palace, together with the out-buildings belonging to it, in Williamsburg, having by a previous Resolution of the Convention, been appropriated as a public hospital, was, by a Resolution of the first of July, restored to its original purpose, and the committee who had been appointed to notify the Governor of his election, was now directed to inform him of the desire of the Convention that he would make the palace his future home. On the fifth of July, the sum of one thousand pounds was directed by the House to be laid out in furniture for the palace, including the furniture already there belonging to the country; and, on the same day, the Governor and members of the Privy Council took their respective oaths of office, and entered at once upon the discharge of their constitutional duties.

The autumn of 1776, the year in which Patrick Henry was made Governor of Virginia, was one of the desperate periods of the Revolutions, "Men's hearts failing them for fear," and darkness seemed to have settled over the patriotic struggle. The disaster at Long Island had occurred, by which a considerable portion of the American Army had been cut off—a garrison of between three and four thousand men had been taken at Fort Washington—and the American General, with the small remainder, disheartened and in want of every necessary, was retreating through the Jerseys before an overwhelming power.

It was of this time that Thomas Paine wrote in "The American Crisis, No. 1,"

"These are the times that try men's souls."

But, in the midst of the storm which raged around him, George Washington stood unmoved. Relying upon the

justness of his cause, which had been submitted to the arbitrament of the sword, he was resolved to do—or die.

In these moments of supreme trial, the Legislature of Virginia swerved for a brief season from its fealty to Republican principles. According to Thomas Jefferson :

“In December, 1776, our circumstances being much distressed, it was proposed in the house of delegates to create a *Dictator*, invested with every power, legislative, executive, and judiciary, civil and military, of life and of death, over our persons and over our properties; and in June, 1781, again under calamity, the same proposition was repeated, and wanted a few votes only of being passed.”

That Mr. Henry was thought of for this office at both of these critical junctures, there seems to be little doubt, but those who have studied his noble character are well assured that no temptation to personal elevation would ever have led him to deny that watchword, “*Liberty or Death*,” which he had given to his people.

In the year 1777, Patrick Henry married for his second wife, Dorothea Dandridge, granddaughter of Governor Alexander Spotswood, and daughter of Nathaniel West Dandridge, a descendant of Captain John West, the brother of Lord Delaware, once colonial Governor, also, of Virginia. Patrick Henry was re-elected to the office of Governor until the May session of 1779, when no longer eligible, according to the Constitution, he retired, not, however, without an effort on the part of his friends to retain him in his responsible position upon some legal technicality touching his appointment for the first term. But, he set the matter at rest by a letter to the Speaker, and retired at the expiration of his third term to his estate, “*Leatherwood*,” in Henry County. In 1780 he was again in the State Assembly, serving actively in that body until 1784. On the 17th November, 1784, Mr. Henry was again elected Governor of Virginia, his term of three years to commence on the 30th of that month. On the 29th of November, 1786, he resigned his position as Governor while yet a year remained of his constitutional term. Although simple and unostentatious in his style of living, he found himself involved in debt at this moment, and private

honor rose superior to public duty. He determined to seek in the active practice of the law means adequate to dispel his financial obligations, and during the next six years he attended regularly the district courts of Prince Edward and New London. His success was abundant, and relieved him from the financial pressure so galling to his lofty soul. On the 4th of December, 1786, Mr. Henry was appointed by the Legislature one of seven deputies from the Commonwealth, to meet a Convention proposed to be held in Philadelphia on the following May, for the purpose of revising the Federal Constitution. His name follows Washington's on the list, viz.: George Washington, Patrick Henry, Edmund Randolph, John Blair, James Madison, George Mason, and George Wythe. The same cause, however, which compelled Mr. Henry's retirement from the executive chair of his state, disabled him now from obeying this almost imperative call of his country, and well may be imagined the conflict in that honorable breast between private and public duty. The Federal Constitution; the result of the Philadelphia Convention, was not viewed with favor by Mr. Henry, although it had the sanction of the revered name of Washington. He feared that it threatened the liberties of his country and endangered the rights of the sovereign states. A Convention was called to decide the fate of this instrument in Virginia, and Mr. Henry was chosen a member for the County of Prince Edward. It met in Richmond, on the 2d June, 1788, and rarely has so much talent ever been exhibited in a deliberative body in this country. Says William Wirt:

"We may mention, therefore, Mr. Madison, the late president of the United States; Mr. Marshall, the chief Justice; and Mr. Monroe, now the President. What will the reader think of a body in which men like these were only among their equals? Yet such is the fact; for there were those sages of other days, Pendleton and Wythe; there was seen displayed the Spartan vigour and compactness of George Nicholas; and there shone the radiant genius and sensibility of Grayson; the Roman energy and the Attic wit of George Mason was there; and there also, the classic taste and harmony of Edmund Randolph; 'the splendid conflagration' of the high-minded Innis; and the matchless eloquence of the immortal Henry."

In this meeting of intellectual giants the course of discus-

sion ran high, and for almost the only time in public life, Patrick Henry failed to carry his point. After the Constitution of the United States had been formally adopted, the government organized, and Washington elected President, Mr. Henry gradually became reconciled to the situation. His opposition in the Convention had not been wholly in vain, for he secured a variety of amendments, afterwards incorporated into the Constitution. In 1794 he retired from the bar, with an ample estate, and removed to his seat, "Red Hill," in Charlotte County. In 1794 he was elected United States Senator, and in 1796 Governor of Virginia, but declined both offices, as he did in 1795, the appointment by Washington as Secretary of State, and subsequently that of Minister to France, by President Adams. After Mr. Henry had declined the position of Secretary of State, in 1795, it appears that General Washington desired his acceptance of the Chief-Justiceship of the Supreme Court of the United States. But having bid a final adieu to his profession, in 1794, he retired to the bosom of his family and never again made his appearance in a public character. It is true that in March, 1799, yielding to the request of Washington and other distinguished persons, and desirous of doing his part to avert what he feared would be the disastrous results of the "Resolutions of '98," passed by Virginia, he offered himself for the State Senate in his district. It was only necessary for him to indicate his wish to fill any public position and he was only too gladly elected. His speech at Charlotte Court House in this connection was his last, and is said to have been worthy of his fame. After he had spoken the polls were opened and he was chosen by his accustomed commanding majority. "As he finished he literally descended into the arms of the uncontrollable throng and was borne about in triumph." Perhaps, with a prescience sometimes given to humanity, they felt that his sun had set in all its glory. Too true was this prophetic instinct, for in three brief months thereafter, their idol's voice was hushed forever. He died on the 6th of June, 1799, and his ashes were tearfully laid to rest at "Red Hill," his seat in Charlotte County.

William Wirt thus beautifully describes Mr. Henry when he bade a final adieu to his profession and sought a season of repose, so well earned in a long period of devotion to public needs and private duties :

“He retired, loaded with honors, public and professional ; and carried with him the admiration, the gratitude, the confidence, and the love of his country. No man had ever passed through so long a life of public service with a reputation more perfectly unspotted. Nor had Mr. Henry, on any occasion, sought security from censure, by that kind of prudent silence and temporizing neutrality, which politicians so frequently observe. On the contrary, his course had been uniformly active, bold, intrepid, and independent. On every great subject of public interest, the part which he had taken was open, decided, manly ; his country saw his motives, heard his reasons, approved his conduct, rested upon his virtue, and his vigour ; and contemplated with amazement, the evolution and unremitted display of his transcendent talents. For more than thirty years he had now stood before that country—open to the scrutiny and the censure of the invidious—yet he retired, not only without spot or blemish, but with all his laurels blooming full and fresh upon him—followed by the blessings of his almost adoring countrymen, and cheered by that most exquisite of all earthly possessions—the consciousness of having, in deed and in truth, played well his part. He had now too, become disembarassed of debt ; his fortune was affluent ; and he enjoyed, in his retirement, that ease and dignity, which no man ever more richly deserved.”

Although Patrick Henry began life in the school of poverty, in his later years he enjoyed an independence which resulted partly from a remunerative profession, and partly from judicious purchases of lands. In his habits of life he was remarkably simple, always frugal and abstemious, and his example as the head of a family, as well as the Chief Executive of his native state, is without reproach. His conversation was remarkably pure and chaste, and he was never heard to take the name of his Maker in vain. Well may be repeated with undiminished fervor the conclusion of General Henry Lee’s touching obituary :

“As long as our rivers flow and mountains stand, so long will your excellence and worth be the theme of our homage and endearments ; and Virginia, bearing in mind her loss, will say to rising generations, ‘Imitate Henry.’”

# LXXI.

## THOMAS JEFFERSON.

*Governor.*

June 1, 1779, to June, 1781.

UPON the retirement of Patrick Henry from the executive chair, Thomas Jefferson was chosen by the General Assembly Governor of Virginia, on June 1, 1779. He was the son of Peter and Jane Randolph Jefferson, and was born at "Shadwell," Albemarle County, Virginia, on April 2, 1742. His father, a practical surveyor, had been chosen with Joshua Fry, (Professor of mathematics at William and Mary College), to continue the boundary line between Virginia and North Carolina, a work already begun by Colonel Byrd. Colonel Jefferson and Mr. Fry were also employed together in making a map of Virginia. This association perhaps had a controlling influence on Thomas Jefferson's life, as it inspired his father to bestow upon him the inestimable benefit of a liberal education. He was sent to William and Mary College, at Williamsburg, Virginia, in the spring of 1760, and remained there two years. In alluding to this period, in his autobiography, he says:

"It was my great, good fortune, and what probably fixed the destinies of my life, that Dr. William Small, of Scotland, was then Professor of Mathematics, a man profound in most of the useful branches of science, with a happy talent of communication, correct and gentlemanly manners, and an enlarged and liberal mind. He, most happily for me, became soon attached to me, and made me his daily companion when not engaged in the school; and from his conversation I got my first views of the expansion of science, and of the system of things in which we are placed. Fortunately, the philosophical chair became vacant soon after my arrival at College, and he was appointed to fill it, per interim; and he was the first who ever gave, in that College, regular lectures in Ethics, Rhetoric, and Belles-Lettres. He returned to Europe in 1762, having previously filled up the measure of his goodness to me by procuring for me, from his most



intimate friend, George Wythe, a reception as a student of Law under his direction, and introduced me to the acquaintance and familiar table of Governor Fauquier, the ablest man who had ever filled that office. With him, and at his table, Dr. Small and Mr. Wythe, his *amici omnium horarum*, and myself, formed a *partie quarrée*, and to the habitual conversations on these occasions I owed much instruction. Mr. Wythe continued to be my faithful and beloved mentor in youth, and my most affectionate friend through life. In 1767 he led me into the practice of the Law at the bar of the General Court, at which I continued until the Revolution shut up the Courts of Justice."

In 1769, at the age of twenty-six, Thomas Jefferson was chosen to represent his county in the House of Burgesses, where he at once took a stand with the opponents of parliamentary encroachment. At this, his first session, he introduced a bill empowering the owners of slaves to manumit them if they thought proper; but it was defeated, and its policy not fully embraced until 1782. It is calculated that upwards of 10,000 slaves obtained freedom in Virginia between 1782 and 1791, after the passage of a law, in 1782, authorizing the manumission of slaves.\* After serving his term in the House of Burgesses, Jefferson returned to his practice, and in the following year removed from "Shadwell," his early home, to a residence destined to be the famous "Monticello"—the Mecca of many a pilgrim since. On January 1, 1772, he married Martha Skelton, widow of Bathurst Skelton and daughter of John Wayles, an influential lawyer of Charles City. This lady was young and beautiful, and with a handsome patrimony added largely to Mr. Jefferson's happiness and fortune. In the spring of 1773, he was appointed by the House of Burgesses a member of the "Committee of Correspondence and Inquiry, for the dissemination of intelligence between the Colonies," the plan of which he had himself aided in devising. In 1774 he published his defense of the Colonists in a paper entitled, "Summary View of the Rights of British America." This document, as Jefferson believed, procured the enrollment of his name on a Bill of Treason introduced into Parliament. But, it had a marked influence on the career of its author; it brought him before

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\* See Walsh's Appeal, I., 392.

the public in England and America as a bold advocate of constitutional freedom, and as a brilliant and thoughtful writer.

On June 1, 1775, Lord Dunmore, the then "Dissolving View" of royal authority in the Colony of Virginia, presented to the House of Burgesses certain resolutions of the British Parliament, to which Jefferson, as chairman of the committee appointed for that purpose, replied in a very able manner. This forcible response to Lord North's "conciliatory proposition," Jefferson laid before Congress in Philadelphia, a few days later. There it met with the warmest approval and placed Jefferson at once among the leaders in that important assemblage. When Congress proceeded to act upon Lord North's proposition, Jefferson as author of the answer of Virginia, was requested by the committee of which he was a member, to prepare the reply. This he did in Resolutions which were immediately adopted.

On June 7, 1776, Richard Henry Lee offered in Congress the memorable resolution from which the Declaration of Independence was formulated. Being called suddenly home by the illness of his wife, he left to others the work which he had begun, returning however to his post, in time to append his name to the historic document.

On the 9th of June, 1776, Jefferson was appointed chairman of that committee to which was delegated the stupendous responsibility of drawing up a paper explaining the causes of the taking up of arms, and proposing a declaration of the independence of the Colonies. Jefferson was "unanimously pressed to undertake the draft" by his associates in the committee. He yielded to their wish, and gave in that great Instrument his name to freedom and to fame, bestowing upon his country a state paper which rivals in renown that "Keystone of English liberty," the Magna Charta of Runnymede. The "Declaration of Independence" was so complete in every detail, that only two or three verbal alterations were made in it. It cannot be claimed, however, that this wonderful Chart of Liberty was the result of the inspiration of the hour. It was the product of days of questioning and nights of study; it was the calm and sober declaration that God,

who had bestowed the blessing of human life, had also given with that life certain inalienable rights which this people dared maintain ; it was the final protest of the chainless mind against oppression ; the high resolve of many men nobly portrayed by one.

Having served actively and efficiently in Congress during the session of 1776, Thomas Jefferson returned to his home in Virginia. He was re-chosen a delegate to Congress, but declined the appointment, devoting himself during the remaining years of the Revolutionary War to the service of his native state. He took his seat in the General Assembly of Virginia, October, 1776, and commenced at once that vigorous attempt at fundamental reform in the organic laws of his state which he felt that the new era demanded. He began by obtaining leave to bring in bills for cutting off entails, and for a general revision of the laws of the Commonwealth. This was a great work of reconstruction, which had its advocates and opponents, but the reorganization was in time complete. Jefferson in his autobiography says :

" I considered four of these bills as forming a system by which every fibre would be eradicated of ancient or future aristocracy. \* \* \*

The repeal of the laws of entail would prevent the accumulation and perpetuation of wealth in select families. \* \* \*

The abolition of primogeniture, and equal partition of inheritances, removed the feudal and unnatural distinctions which made one member of every family rich and all the rest poor. \* \* \*

The restoration of the rights of conscience relieved the people from taxation for the support of a religion not theirs, for the Establishment was truly the religion of the rich."

Jefferson continued to sit in the General Assembly during 1777 and 1778, and battled successfully for these radical changes, the importance of which had so long engaged his attention. On June 1, 1779, he was elected Governor of Virginia, and ably and honorably discharged that office.

At this time Virginia was laid under very heavy contributions for the support of the campaign in Georgia and the

Carolinas. She had nearly 10,000 troops in the Continental Army, and a steady drain had been made upon her resources for men, arms, horses, and provisions, so that she was nearly exhausted and utterly unprepared to resist the enemy upon her own soil. Her long extent of sea-coast, and noble rivers leading thereto, made her an easy prey to hostile fleets; therefore, when the hour for her invasion came, General Leslie readily took possession of Hampton Roads and Portsmouth, and Arnold, with less than 2,000 men, quietly ascended James River. Arnold entered Richmond, which had recently become the capital of the state, on January 5, 1781. The city was evacuated, the public functionaries retiring before the foe to avoid certain capture—but Jefferson remained until the enemy had actually possessed the lower part of the city, and until the last moment busied himself in attempts to protect the public stores. Arnold ravaged the place, burned some buildings, then took to his boats and departed.

Although the name of Benedict Arnold is almost a synonym for "traitor," we would pause for a moment here and recall the many noble deeds of valor, which he at an earlier day performed for his bleeding country. He was born in Connecticut and died in London, and the story of his chequered life is the sad recital of that ever vain endeavor to avenge personal wrongs at the expense of personal honor. A distinguished officer in the patriot cause of the Revolution, wearing the honors of a Major-General, he allowed fancied slights on the part of Congress to turn the current of his fealty, and in an evil hour of wild temptation he became that fallen thing men call—a traitor. After betraying his country, he received a commission as Major-General in the British Army, and after the surrender of Cornwallis, he went to England and was paid in gold the reckoning of his infamy. But the English Crown itself could not outweigh his sin, or hide the mark of Cain now stamped upon his brow! Arnold was shunned by men of honor everywhere, and died far from his native land, in want, neglect, and fell despair. 'Tis told, that in his dying hour he

clasped an old blue coat ; the remnant of a tattered flag with here and there a silver star ; and pressed to his failing heart a parchment which bore his commission as Colonel in the Continental Army ! That coat he had worn as he planted the American banner on Ticonderoga—it had been torn by a bullet in the fight at Quebec—and that commission, as it lay in his nerveless hands, seemed like a benediction to his passing soul. Might it be, perchance, a passport to the silent pity of his countrymen !

After the abandonment of Richmond the legislators assembled in Charlottesville, where Cornwallis determined to attempt their capture. Tarleton was selected for this raid, but only succeeded in dispersing the Legislature and in driving Jefferson from his home at Monticello, from which place he escaped on horseback just in time to avoid capture. Jefferson's term of office had expired two days before Tarleton entered Charlottesville, and he had determined to decline a re-election. In his autobiography he says that he came to this conclusion "from a belief that under the pressure of the invasion under which we were then laboring, the public would have more confidence in a military chief." Of course this step gave rise to criticism, but it was silenced by a Resolution passed "In the House of Delegates, Wednesday, 12th December, 1781, and agreed to by the Senate, December 15, 1781," viz.:

"Resolved, That the sincere thanks of the General Assembly be given to our former Governor, Thomas Jefferson, Esquire, for his impartial, upright, and attentive administration whilst in office. The Assembly wish in the strongest manner to declare the high opinion which they entertain of Mr. Jefferson's ability, rectitude and integrity as Chief Magistrate of this Common-wealth," etc.

It was during Mr. Jefferson's administration as Governor, that Virginia, in the interests of harmony among the sister states of the untried Republic, made an imperial gift to her country. She had already bestowed her patriotism, intellect, blood, and treasure, and now she laid her princely domain of lands on the northwest side of the Ohio River at the foot of the *Union*.

## RESOLUTIONS.

*January 2'd, 1781.*

FOR A CESSION OF THE LANDS ON THE NORTH WEST SIDE OF OHIO,  
TO THE UNITED STATES.

*Copy sent the Governor,  
(Thomas Jefferson)  
on the 15th January, 1781.*

## IN THE HOUSE OF DELEGATES,

*Tuesday, the 2'nd January, 1781.*

The general assembly of Virginia being well satisfied that the happiness, strength and safety of the United States, depend, under Providence, upon the ratification of the articles for a federal union between the United States, heretofore proposed by congress for the consideration of the said states, and preferring the good of their country to every object of smaller importance, Do Resolve, That this commonwealth will yield to the congress of the United States, for the benefit of the said United States, all right, title, and claim that the said commonwealth hath to the lands northwest of the river Ohio, upon the following conditions, to wit: That the territory so ceded shall be laid out and formed into states containing a suitable extent of territory, and shall not be less than one hundred nor more than one hundred and fifty miles square, or as near thereto as circumstances will admit: That the states so formed shall be distinct republican states, and be admitted members of the federal union, having the same rights of sovereignty, freedom and independence as the other states.

That Virginia shall be allowed and fully reimbursed by the United States her actual expenses in reducing the British posts of the Kaskaskies and St. Vincents, the expense of maintaining garrisons and supporting civil government there since the reduction of the said posts, and in general all the charge she has incurred on account of the country on the north west side of the Ohio river since the commencement of the present war.

That the French and Canadian inhabitants and other settlers at the Kaskaskies, St. Vincents, and the neighbouring villages who have professed themselves citizens of Virginia, shall have their possessions and titles confirmed to them and shall be protected in the enjoyment of their rights and liberty, for which purpose troops shall be stationed there at the charge of the United States to protect them from the encroachments of the British forces at Detroit or elsewhere, unless the events of war shall render it impracticable.

As colonel George Rogers Clarke planned and executed the secret expedition by which the British posts were reduced, and was promised if the enterprise succeeded a liberal gratuity in lands in that country for the officers and soldiers who first marched thither with him, that a quantity

of land not exceeding one hundred and fifty thousand acres be allowed and granted to the said officers and soldiers, and the other officers and soldiers that have been since incorporated into the said regiment; to be laid off in one tract, the length of which not to exceed double the breadth, in such place on the north west side of the Ohio as the majority of the officers shall choose, and to be afterwards divided among the said officers and soldiers in due proportion according to the laws of Virginia.

That in case the quantity of good lands of the south-east side of the Ohio upon the waters of Cumberland river, and between the Green river and the Tennessee river, which have been reserved by law for the Virginia troops upon continental establishment, and upon their own state establishment should (from the North Carolina line bearing in further upon the Cumberland lands than was expected) prove insufficient for their legal bounties, the deficiency shall be made up to the said troops in good lands, to be laid off between the rivers Scioto and little Miamis on the north-west side of the river Ohio, in such proportions as have been engaged to them by the laws of Virginia.

That all the lands within the territory so ceded to the United States, and not reserved for or appropriated to any of the herein before mentioned purposes, or disposed of in bounties to the officers and soldiers of the American army, shall be considered as a common fund for the use and benefit of such of the United American States, as have become or shall become members of the confederation or federal alliance of the said states (Virginia inclusive) according to their usual respective proportions in the general charge and expenditure, and shall be faithfully and bona fide disposed of for that purpose, and for no other use or purpose whatsoever.

And therefore, that all purchases and deeds from any Indian or Indians, or from any Indian nation or nations, for any lands within any part of the said territory, which have been or shall be made for the use or benefit of any private person or persons whatsoever, and royal grants within the ceded territory inconsistent with the chartered rights, laws and customs of Virginia, shall be deemed and declared absolutely void and of no effect, in the same manner as if the said territory had still remained subject to and part of the commonwealth of Virginia.

That all the remaining territory of Virginia included between the Atlantic ocean and the south-east side of the river Ohio, and the Maryland, Pennsylvania, and North Carolina boundaries, shall be guaranteed to the Commonwealth of Virginia by the said United States.

That the above cession of territory by Virginia to the United States shall be void and of none effect, unless all the states in the American Union shall ratify the articles of confederation heretofore transmitted by congress for the consideration of the said states.

Virginia having thus, for the sake of the general good proposed to cede a great extent of valuable territory of the continent, it is expected in return that every other state in the Union, under similar circumstances as

to vacant territory, will make similar cessions of the same to the United States for the general emolument.

Teste,

JOHN BECKLEY, C. H. D.

1781, January 2nd.

Agreed to by the Senate.

WILL. DREW, C. S.

According to our highest authority, William Waller Hening, Thomas Jefferson was Governor of Virginia "until June, 1781, when he resigned, and on the twelfth day of June, 1781, Thomas Nelson, Junior, Esquire, was elected." In the interim, the executive functions of the government fell upon William Fleming, of Botetourt, and the General Assembly passed the following Resolution, indemnifying him for the administration of the same :

#### IN THE HOUSE OF DELEGATES.

*Saturday, the 23rd of June, 1781.*

It appearing to the General Assembly that Colonel William Fleming, being the only acting member of council for some time before the appointment of chief magistrate, did give orders for the calling out the militia, and also pursued such other measures as were essential to good government, and it is just and reasonable that he should be indemnified therein :

Resolved, therefore, that the said William Fleming, Esqr. be indemnified for his conduct as before mentioned, and the Assembly do approve of the same.

Teste,

JOHN BECKLEY, C. H. D.

1781, June 23rd.

Agreed to by the Senate.

WILL. DREW, C. S.

William Fleming was a Scotchman by birth, but emigrated early in life to Virginia, and was among the first settlers in that portion of Augusta County which was formed into Botetourt. In 1774 he raised a Regiment, which he gallantly commanded in the battle of Point Pleasant, where he was severely wounded. He had also served in the French and Indian War in 1755 and 1756. He was a member of the Council of Virginia in 1781, and represented the County of Botetourt in the Virginia Convention of 1788, which rati-



fied the Federal Constitution. He was said to have been of noble extraction, had received a liberal education, and was of a bold and adventurous spirit.

In the close of the year 1782, Mr. Jefferson was appointed Minister Plenipotentiary to join the representatives already in Europe, to negotiate the terms of a treaty of peace, but the treaty was concluded in Paris in 1783, before he was ready to sail. As chairman of the committee to which this matter had been referred in the Congress of 1783, he had the pleasure of reporting a definitive treaty of peace with England. On March 30, 1784, he was chosen to preside in Congress, and was chiefly instrumental in revising and perfecting the Treasury Department of the government. On May 7, 1784, Thomas Jefferson was appointed to join John Adams and Benjamin Franklin in Paris, and to negotiate treaties of commerce for the United States with foreign nations. On March 10, 1785, he was chosen by Congress to succeed Franklin as Minister to France, and being re-appointed in October, 1787, he remained there until October, 1789, during which time he conducted many important negotiations for his country. Immediately upon his return to America, Mr. Jefferson was appointed by President Washington, Secretary of State, and filled the office with marked ability through the four years of Washington's first administration. The Cabinet meetings were often very stormy, and this period is marked by the origin of an active struggle between the two great political parties into which the Americans had divided themselves. Alexander Hamilton was the leader of the Federalists, and Thomas Jefferson stood at the head of the Republicans. But, wishing at this time to retire for a season from public life, Jefferson resigned his office as Secretary of State, on December 31, 1793, and spent some three years in quiet at Monticello, devoting himself to personal affairs, which, through attention to public matters, he had somewhat neglected.

The close of the eighteenth century should not be recorded without allusion to one of the most afflictive events which had

yet befallen America. On the 14th of December, 1799, GEORGE WASHINGTON died at Mount Vernon, Virginia, aged 68 years, in favor with God and man. Said Mr. Adams in a letter to the Senate :

“ His example is now complete, and it will teach wisdom and virtue to magistrates, citizens, and men, not only in the present age, but in future generations as long as any history shall be read.”

In September, 1796, Washington had announced that he would not again be a candidate for the presidency, and thereupon the political parties of the country settled upon John Adams, of Massachusetts, as the candidate of the Federalists, and Thomas Jefferson, of Virginia, as the standard bearer of the Republicans. Mr. Adams was elected President, and Mr. Jefferson, as was then the law, became the Vice-President of the United States.

On March 4, 1797, Jefferson took the oath of office as presiding officer in the Senate, and delivered before that body a short address, in which he expressed in a masterly way his attachment to the laws and his desire to fulfill his duty. This he did amply, and when the time rolled around for another presidential election, he was again the candidate of his party for that high office. Aaron Burr was the Democratic nominee for Vice-President. The Federalists supported Adams and Pinckney. When the votes were opened, it was found that Jefferson and Burr were elected by an equal number of voices. This threw the election upon the House of Representatives, where, after thirty-five ineffectual ballots, a member from Maryland, authorized by Mr. Burr, withdrew that gentleman's name, and on the thirty-sixth ballot Mr. Jefferson was elected President, and Colonel Burr became Vice-President.

Jefferson delivered his inaugural address in Washington (to which City the Capital had been removed some months before), on March 4, 1801, in the presence of both Houses of Congress.

A new social as well as political era had burst upon the country. Jefferson, the philosopher of democracy, who

had proclaimed and extolled its principles, was now, as the political head of the country, about to apply them. A change in dress and manners appeared; the old régime had suddenly passed away, and the stately dignity and ceremony of Washington's administration were supplanted by a republican simplicity. Jefferson himself headed the movement, and sent his message to Congress by a common messenger; before his day, the President had in person made the communication, to which the Speaker, in behalf of Congress, had at once replied in a formal address.

This term of Mr. Jefferson was distinguished by the purchase from France of the entire territory of Louisiana, in 1803, for the sum of \$15,000,000.

In 1803, Commodore Preble vindicated American rights in the Mediterranean against the Emperor of Morocco. With an American fleet he bombarded the town and forts of Tripoli. The United States, it has been remarked, set the first example to the world, of obliging the Barbary powers to respect its flag by the force of arms, instead of a disgraceful tribute. In 1803, the frigate *Philadelphia*, belonging to Preble's squadron and commanded by Captain Bainbridge, struck on a rock in the harbor of Tripoli, and was taken by the Tripolitans; her officers and crew, amounting to 300 men, were made prisoners. In 1804, Stephen Decatur, a lieutenant in the American navy, with Preble's approval sailed from Syracuse in a small schooner, with seventy men, accompanied by the brig *Syren*, with the design of retaking or destroying the captured frigate *Philadelphia*, at Tripoli. He succeeded in setting fire to her, February 16, 1804, amidst a tremendous assault from two corsairs and the batteries on shore. Having accomplished his mission, he retired with his brave and daring companions. Tripoli was afterwards bombarded, in August, by the Americans, compelled to sue for peace, and the treaty for same was concluded June 3, 1805.

The acquisition of Louisiana, the naval victories, and general prosperity of the country added no little to the popularity of the new order of things, and Jefferson was reelected President, with George Clinton, of New York, as

Vice-President, for the term commencing March 4, 1805. The Democratic majority was 148, out of 176 electoral votes.

In 1806 the President was called upon to arrest Aaron Burr for suspected treasonable operations in the Southwest. He was accused of prosecuting a scheme for the separation of the Western States from the Union, was brought to trial in Richmond, Virginia, but no overt act of treason could be proved, and the jury rendered the verdict, "Aaron Burr is not proved to be guilty under the indictment by any evidence submitted to us." This trial, on account of the high position of the accused, became a matter of national concern. The people trembled to see a man who had been a distinguished soldier and statesman, and candidate for the Presidency (which high office he came within one vote of obtaining, and then voluntarily withdrew from the contest); a man who had been Vice-President of the United States for four years, and whose name had become identified with the honor of the nation—the people trembled to see *this* man arrested for high treason, and the country felt relieved when the great trial was at an end.

About this time, trouble with Great Britain again threatened the tranquility of the United States. England was engaged in war with France, and was contending with a nation stimulated by the ambition of the Emperor Napoleon. She needed men for her navy, and she allowed her naval officers to impress British seamen from merchant vessels, and force them to serve on men-of-war. She also claimed the right to impress her own subjects when found on ships of other nations. This led to the conflict between the American frigate Chesapeake, sailing from Hampton Roads, and the British ship Leopard, one of a squadron then at anchor within the limits of the United States, in which the Chesapeake, unprepared for armed resistance to the arbitrary demand of the commander of the Leopard, was compelled to surrender. She remained under fire twenty or thirty minutes, suffered much damage, lost three men killed and eighteen wounded, when Commodore Barron ordered his colors to be struck and handed over his ship to the enemy. The com-

mander of the *Leopard* sent an officer on board, who took possession of the *Chesapeake*, mustered her crew, and carrying off four of her men, abandoned the ship, which Commodore Barron took back to Hampton Roads. On receiving information of this outrage, Jefferson, by proclamation, interdicted the harbors and waters of the United States to all armed British vessels, forbade intercourse with them, and made such other preparations as the occasion appeared to require. An armed vessel of the United States was dispatched with instructions to the American minister at London to call on the British government for the satisfaction and security which the outrage demanded.

Whilst now the war between England and France was agitating the Old World, America sought to preserve a proper neutrality. But England, all-powerful on the seas, tried to interrupt our trade with France or her dependencies, and Napoleon issued orders to prevent our trade with England. In this trying situation, Jefferson thought that the United States might get the offensive decrees repealed, by stopping all its trade with the outside world. In pursuance of these views an Act was passed in December, 1807, forbidding the departure of vessels from American ports; it was known as "Jefferson's Embargo." This law gave great offence to the Federalists, but it was only intended as a temporary resort, and was repealed in February, 1809, by Congress, who substituted for it an Act of non-intercourse with France and England.

At this interesting point in the history of his country, Jefferson retired from public life and terminated his political career. But a long period of varied and extended usefulness was yet in store for this distinguished son of Virginia. Though personally removed from the turmoil of public life, his interest in the affairs of his country was undiminished. From his home at Monticello, he still, through others, largely controlled the direction of events at the Capital, and the sovereignty of his intellect was still as decisive as when he himself held office. In matters of internal concern he now busied himself, and directed his talents and influence to the promotion of University education in his native state. He

was largely instrumental in establishing the "University of Virginia," near Charlottesville, Virginia, in 1817, and in 1819 superintended the erection of the buildings himself. His connection with this institution of learning was a source of pleasure and of pride to him, and when he drew up the epitaph to be inscribed upon his tomb, he added to the words, "Author of the Declaration of Independence, and of the Statute of Virginia for religious freedom," these others: "and father of the University of Virginia." What a canopy to cover a single grave!

It should be here noted that Jefferson's first desire in connection with University education in Virginia, was to transform William and Mary College, his *alma mater*, into a state university. For this he struggled long and well, but insurmountable objections to this plan turned his views to the establishment of a separate institution. It is deeply interesting to observe how keenly alive were both Washington and Jefferson to the importance of higher education at home. Washington, in a letter to Governor Brooke, of Virginia, says:

"It is with indescribable regret that I have seen the youth of the United States migrating to foreign countries, in order to acquire the higher branches of erudition and to obtain a knowledge of the sciences. Although it would be injustice to many to pronounce the certainty of their imbibing maxims not congenial with Republicanism, it must nevertheless be admitted that a serious danger is encountered by sending abroad among other political systems those who have not well learned the value of their own. The time is, therefore, come when a plan of universal education ought to be adopted in the United States. Not only do the exigencies of public and private life demand it, but, if it should ever be apprehended that prejudice would be entertained in one part of the Union against another, an efficacious remedy will be to assemble the youth of every part, under such circumstances as will, by the freedom of intercourse and collision of sentiment, give to their minds the direction of truth, philanthropy, and mutual conciliation."

These views were substantiated by the generous endowment of a National University made in Washington's last Will and Testament. So, with eyes cast upon the future of this unfolding empire of freedom, both Washington and Jefferson hoped and planned for University education.

But the story of Jefferson's life is drawing to a close. A little past noon on July 4, 1826, his spirit passed from earth and left a great void in his home, and state, and country. At almost the same hour, John Adams, the venerable and distinguished son of Massachusetts, breathed his last, and this double blow was deeply felt through the length and breadth of the Union.

Among Jefferson's valuable written contributions to his state may be cited his "Notes on Virginia," his "Manual of Parliamentary Practice," and his manuscripts, under the title of "The Writings of Thomas Jefferson; being his Autobiography, Correspondence, Reports, Messages, Addresses, and other writings." With his own hand he wrote what men should read upon his urn—but, as the years roll by, the scope of his life-work broadens. The forces which he helped to set in motion have in their onward progress, "unhasting, yet unresting," borne his name, with those of the patriot fathers, to a pinnacle of fame—to that high point of greatness won by a country which was their nursling once, but which, through their endeavor and the grace of God, stands one of the first powers of the Christian world.

# LXXII.

THOMAS NELSON, JR.

*Governor.*

June 12, 1781, to November 30, 1781.

It surely demanded the heart of a hero to assume charge of affairs in Virginia at the critical period when Thomas Nelson consented to become her Governor. The tide of war had rolled from North to South, and now was rolling back again to engulf, if possible, the revolutionary cause upon the soil of the Old Dominion. The British successes in the North had been followed by more decided victories in the South, and the conquest of the whole country seemed to be but a question of time to the elated English. Virginia, ever regarded as the centre of the Revolution, was now selected as the most salient point at which to bring the whole matter to a conclusion. So, by sea and land, the British began to concentrate their forces about her devoted territory. In the midst of all the discouragements which environed the Revolutionists, one gleam of light shone on the darkness—it flashed from the treaty of February 6, 1778, with France. The surrender in 1777 of Burgoyne's whole army to General Gates at Saratoga, had so advanced the cause of America in the sympathies of France, that her wavering policy then became fixed, and on the 6th February, Louis XVI. entered into treaties of amity and commerce, and of alliance with the United States, on the footing of the most perfect equality and reciprocity. This alliance under Providence was certainly one of the great causes of the final triumph at Yorktown, and of the permanent establishment of American independence. And now, in 1781, when hemmed in on every side, the hope which 'sustained the patriots came mostly from their



French allies. The British were closing in upon Virginia, and desperate seemed the cause of liberty. It was in such an hour as this that Thomas Nelson assumed the rudder of the ship of state, to guide it through the gathering storm, not knowing what the end might be.

Thomas Nelson, junior, was born in York County, Virginia, December 26, 1738, and died in Hanover County, Virginia, January 4, 1789. But between "the coming" and "the going" he wrought a noble work, and left his footprints in the sands of time. He was the son of William Nelson, for many years President of the Colonial Council of Virginia, and at one time Acting Governor of the Colony, and grandson of Thomas Nelson, the first of the name in Virginia. This last Thomas Nelson, came from Penrith, near the border of Scotland, and was called "Scotch Tom" on that account.

Thomas Nelson, the subject of this sketch, was early placed by his father under the care of the Reverend Mr. Yates, of Gloucester County, Virginia (afterwards President of William and Mary College), in order to prepare him for an English university. At the age of fourteen he was sent to England, and was for some time at a preparatory school of Dr. Newcome, at Hackney, and afterwards under the special care and tutorship of Dr. Porteus. He graduated with distinction from Trinity College, Cambridge, and after an absence of seven years, he returned to Virginia. Being just twenty-one years of age, he was elected to the House of Burgesses on his voyage home, as an evidence of the esteem in which his father was held, and of the hopes entertained of the son.

In 1762 Thomas Nelson married Lucy Grymes, of Middlesex County, Virginia, eldest daughter of Philip and Mary Randolph Grymes; settled at Yorktown, and, being associated with his father as a merchant, was in affluent private circumstances. At his father's death he came into the possession of a handsome patrimony.

Thomas Nelson early became a decided partisan in the patriot cause, and rendered efficient services in the House of

Burgesses. He was a member of the revolutionary Conventions of 1774 and 1775, and was appointed by the Convention in July, 1775, Colonel of the Second Virginia Regiment, which post he resigned on being elected to the Continental Congress in the same year. He was again called to administer in home affairs, and was a prominent member of the Virginia Convention of 1776, which met in May to frame a Constitution for her government. Here he offered the Resolution instructing the Virginia delegates in Congress to propose a Declaration of Independence. Having been elected one of these delegates, he had the satisfaction of seeing the hopes and wishes of his people embodied in a crystallized form, and with unfaltering faith in its declarations, set his seal to the historic instrument, July 4, 1776. In the following year he was compelled, through indisposition, to resign his seat in Congress.

In August, 1777, on the approach of the British fleet within the capes of Virginia, Thomas Nelson was appointed Commander-in-Chief of the state forces, and soon after, in response to an appeal from Congress, he raised a troop of cavalry which he led to Philadelphia, the point which had now become the theatre of war. During this campaign around Philadelphia, an illustration of the devoted heroism of the colonists may be seen in the following incident related by General Henry Lee, in his "Memoirs of the War in the Southern Department of the United States." In speaking of the battle of Germantown and the scene at Chew's house, he pays a handsome tribute to young Captain Matthew Smith, a son of John Smith and Mary Jaquelin, of "Shooter's Hill," Middlesex County, Virginia, and a descendant of some of the earliest and most distinguished settlers of that Colony. General Lee says:

"The halt at Chew's house was taken after some deliberation, as the writer well recollects, being for that day in the suite of the Commander-in-Chief, with a troop of dragoons charged with duty near his person. Many junior officers, at the head of whom were Colonel Pickering and Lieutenant-Colonel Hamilton, urged with zeal the propriety of passing the house. Brigadier Knox opposed the measure with earnestness, denouncing the idea of leaving an armed force in the rear, and being always

high in the General's confidence, his opinion prevailed. A flag of truce was instantly dispatched to summon the British Colonel, while appropriate bodies of troops were prepared to compel his submission. As had been suggested, the summons was disregarded by Musgrave, who persevered in his judicious defence, and Captain Smith, of the First Virginia Regiment, Deputy Adjutant-General, bearing the flag, fell with it waving in his hands. Thirsting after military fame, and devoted to his country, he obeyed with joy the perilous order, advanced through the deadly fire pouring from the house, presuming that the sanctity of his flag would at length be respected; vain expectation! He fell before his admiring comrades, a victim to this generous presumption."

The danger from Sir William Howe's movements against the Colonists having been averted, Thomas Nelson's corps was disbanded, and he resumed his duties as a member of the General Assembly of Virginia. Here, he strongly opposed the proposition to sequester British property, on the ground that it would be an unjust retaliation of public wrongs on private individuals. In February, 1779, Nelson again took his seat in Congress, but was soon obliged by illness to resign. In May, 1779, he was suddenly called upon to organize the militia of his State, to repel an invasion of Virginia by the enemy, and when early in June, 1780, Virginia resolved to borrow \$2,000,000 to be deposited in the Continental Treasury by the middle of the month, THOMAS NELSON, in that period of despondency and distrust, did, by his own personal efforts and on his own personal security, raise a large portion of the amount. This loan was in obedience to a call from Congress for contributions to provide for the French fleet and armament. General Nelson, also, about this time, advanced money to pay two Virginia Regiments ordered to the South, whose arrears were not discharged. Thus were his ample fortune and credit freely and liberally expended for the public good.

And now, at a period almost of despair, he took the helm of State, being chosen by the people, Governor of Virginia, June 12, 1781, and in person, with the militia he could summon, opposed, with sleepless vigilance and wonderful military sagacity, the enemy invading his State. It was in no small degree owing to his exertions that the American Army was

kept together during its stay in Virginia. Participating in the siege of Yorktown, as Commander of the Virginia militia, and having charge of the first battery which opened upon the enemy in the town, he pointed the first gun at his own dwelling, offering to the gunner a reward of five guineas for every shot fired into it. This house had been taken by Lord Cornwallis as his headquarters.

During these days of trial and of peril, Governor Nelson had been compelled to assume dictatorial powers. Obeying the higher law of stern necessity, he did not hesitate to step beyond the written code, assuming here, as everywhere, any perilous consequence to himself, if thereby he could save his country. For these assumed powers, he was, however, fully indemnified by the following Act of Assembly :

#### CHAPTER XXIV.\*

AN ACT To indemnify Thomas Nelson, Junior, Esquire, late Governor of this Commonwealth, and to legalize certain Acts of his administration.

I. Whereas upon an examination it appears, that previous to, and during the siege of York, Thomas Nelson, Junior, Esquire, late Governor of this Commonwealth, was compelled by the peculiar circumstances of the State and Army, to perform many acts of government without the advice of the Council of State, for the purpose of procuring subsistence and other necessities for the allied Army under the command of his Excellency, General Washington :

II. *Be it enacted*, That all such acts of government, evidently productive of general good and warranted by necessity, be judged and held of the same validity, and the like proceedings be had on them as if they had been executed by and with the advice of Council, and with all the formalities prescribed by law.

III. *And be it farther enacted*, That the said Thomas Nelson, Junior, Esquire, be, and he hereby is, in the fullest manner, indemnified and exonerated from all penalties and damages which might have accrued to him from the same.

It seemed a fitting recompense, that General Nelson should have the honor of being Governor of Virginia when Cornwallis surrendered, October 19, 1781; when upon Vir-

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\*Hening's Statutes at Large, Vol. 10, page 478, November, 1781, 6th of Commonwealth of Virginia.

ginia soil the British gave up 7,247 regular troops, 840 sailors, and 106 guns; when beneath Virginia skies the broken sword of the Commander of the English Army sealed the independence of America. Owing to failing health Governor Nelson was now compelled to retire from public duty; not, however, until he had seen the morning break upon the cause he loved so well. He resigned the office of Governor in November, 1781, and passed the remnant of his days in the retirement of a country home.

General Nelson had entered upon the Revolutionary War a rich man; he came out of it so poor, that after a few years had passed away, and he was laid in the old graveyard at York, without a headstone or slab to mark the spot, his property, save the old house in deserted York, and some broom-straw fields in Hanover, was put up at public sale to pay the debts contracted in his country's cause. Even the old family Bible with the births and baptisms of the family, with the little table on which it stood, was sold on that occasion.

When the illustrious Virginia leaders of this period pass in review before us, we can dwell in admiration upon the lofty principles, the varied talents, the prudence and the courage which made "The Father of his Country" great; our souls can glow and burn when we remember the services of Patrick Henry, Thomas Jefferson, Peyton Randolph, Edmund Pendleton, George Wythe, George Mason, and Richard Henry Lee; but the name of Thomas Nelson challenges a tenderer recollection. The tear will spring as we behold that grand old man, the embodiment of Christian and patriotic virtue, resting from his labors in the evening of life. We see him crowned, 'tis true, with the love and blessing of his emancipated country, but we behold him bent beneath the weary disease of asthma, contracted in the soldier's camp, having the gaunt figure of poverty as the companion of his fireside, and the hungry spectre of debt as his constant shadow. He died at his seat, "Offley," a small wooden house in Hanover County, Virginia, January 4, 1789. A bronze statue, one of

the six which adorn the Washington Monument at Richmond, Virginia, commemorates his services.

“ But his Fame, consigned to the keeping of that Time which,  
Happily, is not so much the Tomb of Virtue as its Shrine,  
Shall, in the years to come, fire modest Worth to noble Ends.”

A century has winged its flight since Thomas Nelson died, but in the presence of his history the inspiration of sacrifice is as fresh today as when renewed Virginia first wept above this buried Curtius of the Revolution.

## PART II.

*History of the Executives of Virginia from the close of the  
Revolutionary War in 1781, to 1892*









HENRY LEE,  
Or,  
"LIGHT HORSE HARRY."

## INTRODUCTION.

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ALTHOUGH the surrender of Lord Cornwallis, October 19, 1781, had virtually terminated the struggle for the independence of America, still the cessation of hostilities was not formally proclaimed by Congress until April 11, 1783.

War with its desolating train had now given place to the tranquil reign of peace; but, that war, with its history written in blood from Lexington to Yorktown, had had its world-wide uses. It had created a race of patriots, the story of whose valor would never die; it had given birth to leaders who had proved self-government a possibility; it had opened the way for freedom of thought and action, and had snapped the cords asunder that had bound America to a Throne. Last and best, it had shown that the foundation of the infant Republic, cemented with the crimson current of human life, was the ground-work of a structure destined to be more enduring than any fabric that could be reared by peaceful arbitration.

Nearly a hundred years had looked down upon its growth when this "Union," tried in the throes of a tremendous civil convulsion, emerged from a ravaging war of four long years' duration, "One and inseparable." What could have accomplished this, in its completeness, but the "mystic tie" of Lexington, Concord, Ticonderoga, Crown Point, Bunker Hill, Quebec, Boston and New York; of Trenton, Princeton, Brandywine, Germantown and Valley Forge; of Savannah,

Charleston, Camden, Cowpens, Richmond and Yorktown—names, which like an amulet, had been hung around the infant breast by every patriot mother, in every state, for well-nigh a century!

Upon the cessation of hostilities with England, in April, 1783, and the return of peace, it was found that the "Articles of Confederation" between the states were not quite adequate to meet the new issues then arising. The necessity of vesting in a Congress, (differently organized from that under the Confederation) powers competent to provide for the national welfare gave rise to permanent changes in the government. As a matter of interest it may be noted that, from the beginning of the War of the Revolution until the end, Virginia never ceased in her exertions to furnish her full quota of men and money in compliance with the requisitions of Congress, and when, in 1783, certain commercial restrictions were proposed, (made necessary by the action of England,) Virginia passed her Act conferring the power on Congress to adopt such regulations, suspending its operation, however, until all the states in the Union should concur. She also passed "An Act to provide certain and adequate funds for the payment of this State's quota of the debts contracted by the United States" (October, 1783), by conferring such powers on Congress as would best tend to raise a revenue essential to the restoration of public credit and the discharge of the public debts. This Act was also suspended until similar laws should be passed by every other state in the Union. The difficulties surrounding these and other questions gave rise to a change in the organization of the government, and to the adoption of the present Constitution of the United States.

The territorial limits of Virginia have varied many times since the hour when England's Queen traced with her royal hand the name the new-found country was to bear.

The limits of Virginia under the Patent of Queen Elizabeth to Sir Walter Raleigh, 1584, were vague and vast, but they assumed a more definite shape under her successor, James I., and the various changes in her boundaries have resulted from:

I. The ancient charters from the Crown of England.

II. The grant of Maryland to Lord Baltimore, and the subsequent determinations of the British Court as to the extent of that grant.

III. The grant of Pennsylvania to William Penn, and a compact between the General Assemblies of the Commonwealths of Virginia and Pennsylvania as to the extent of that grant.

IV. The grant of Carolina and actual location of its northern boundary, by consent of both parties.

V. The Treaty of Paris, of 1763.

VI. The confirmation of the charters of the neighboring states by the Convention of Virginia at the time of constituting her Commonwealth.

VII. The cession made by Virginia to Congress of all the lands to which she had title on the north-west side of the Ohio.

VIII. By an act approved December 31, 1862, Congress provided for the admission of "West Virginia" into the Union, upon certain conditions, which conditions being complied with, the state government was formally inaugurated, June 20, 1863.

By this Act, an area of 23,000 square miles was separated from "The Old Dominion."

In tracing thus the changes wrought by time in the outer limits of Virginia, it is likewise instructive to review some of the mutations *within* her boundaries.

On February 16th, 1623, the "List of the Livinge" was returned from the following places, and in this wise, viz.:

At the Colledg Land.

Att the Neak of Land.

Att West & Sherlow Hundred.

Att Jordan's Journey.

Att Flourdieu Hundred.

The rest at West and Sherlow Hundred Island.

At Chaplain's Choise.

Att James Citie and within the corporation thereof.

In the Maine.

In James Island,

The Neck of Land.  
 Over the River.  
 At the Plantation over against James Cittie.  
 The Glase Howse.  
 At Archur's Hoop.  
 At Hogg Island.  
 At Martin's Hundred.  
 At Warwick Scurake.  
 At the Indian Thickett.  
 At Elizabeth Citye.  
 At Bricke Row.  
 At Bass's Choice.  
 More at Elizabeth Cittie.  
 At the Eastern Shore.

1277.

The End of the List of the Living.\*

And now, compare this list of 1277 inhabitants with the return from the Census Office for Virginia in 1890, showing her total population to be 1,655,980, in her one hundred flourishing counties, which are as follows :

Accomac	Craig	Henry	Northumberland
Albemarle	Culpeper	Highland	Nottoway
Alexandria	Cumberland	Isle of Wight	Orange
Alleghany	Dickenson	James City	Page
Amelia	Dinwiddie	King and Queen	Patrick
Amherst	Elizabeth City	King George	Pittsylvania
Appomattox	Essex	King William	Powhatan
Augusta	Fairfax	Lancaster	Prince Edward
Bath	Fauquier	Lee	Prince George
Bedford	Floyd	Loudoun	Princess Anne
Bland	Fluvanna	Louisa	Prince William
Botetourt	Franklin	Lunenburg	Pulaski
Brunswick	Frederick	Madison	Rappahannock
Buchanan	Giles	Matthews	Richmond
Buckingham	Gloucester	Mecklenburg	Roanoke
Campbell	Goochland	Middlesex	Rockbridge
Caroline	Grayson	Montgomery	Rockingham
Carroll	Greene	Nansemond	Russell
Charles City	Greenville	Nelson	Scott
Charlotte	Halifax	New Kent	Shenandoah
Chesterfield	Hanover	Norfolk	Smyth
Clarke	Henrico	Northampton	Southampton

\*See Colonial Records of Virginia, Vol. 3, No. 2.

Spottsylvania	Sussex	Warwick	Wise
Stafford	Tazewell	Washington	Wythe
Surry	Warren	Westmoreland	York

Though shorn of her vast territorial possessions, a greater future spreads before Virginia than when her borders were washed by the Atlantic on the east and the Pacific on the west. With her mild and healthful climate, her fertile soil, her splendid fisheries, her forest wealth; with her mineral resources, her agricultural products, her commercial advantages; with her increasing, intelligent, industrious, and patriotic population, her greatness seems assured.

With such a land and such a people, the problem of Virginia's possibilities, suggested by Lord Bacon in 1621, "Who can tell?" is finding year by year, through all the changes and chances of Time, a broader and higher interpretation.

"Noiselessly as the daylight comes when the night is done," is she now advancing from the ravages of war\* and the blight of debt, to a fuller and more glorious life than she has ever known before.

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\*1861-1865.

# LXXIII.

## BENJAMIN HARRISON.

*Governor.*

November 30, 1781, to November 29, 1784.

UPON the resignation of Thomas Nelson, Junior, November 30, 1781, Benjamin Harrison was elected Governor of Virginia, and continued in this office until November 29, 1784. He was born in Berkeley, Charles City County, Virginia, about 1740, his family having settled in the Colony as early as 1640.

Mr. Harrison entered public life, in 1764, by becoming a member of the House of Burgesses, and soon by his ability and social prominence became a leader in the stirring scenes in which he lived. He was a member of the First Continental Congress, of the Virginia Convention of 1775, and of the second General Congress, 1775. This body having adjourned, August 1, the Virginia Convention on the 11th of that month returned Mr. Harrison a third time as their representative, and on September 13 he took his seat. Here he filled many positions of responsibility, struggling always for the best interests of his state and country. His term of service having expired, August 11, 1776, he came back to Virginia, but not before he had enjoyed the satisfaction of putting his name to the Declaration of Independence; an act which won for every "Signer" a patent of nobility far worthier than any that royal hand could give; whose title was beyond the fictitious excellence of Star, or Garter, or Cross, or all the insignia of heraldry.

In the autumn of 1776, Thomas Jefferson having resigned his seat in the Senate, Mr. Harrison was chosen to fill out his term, and after a brief absence of less than three months returned to Congress. He was immediately restored to his former place on all standing committees. On May 22, 1777, Virginia returned him for the fourth time to Congress, where



he, as before, actively and successfully engaged in matters pertaining to the highest interests of the young Republic. About the close of this year Mr. Harrison retired permanently from the halls of Congress and devoted himself to the promotion of his native State. He was soon sent from his county to the House of Burgesses, and elected Speaker of that body, which office he held uninterruptedly until chosen Governor of Virginia, on November 30, 1781. Through the trying duties which accompanied this high office at the close of the Revolution, he bore himself with dignity and ability, remaining the Chief Executive of the State until November 29, 1784, when he retired to private life. But his friends, unwilling to lose his valuable counsels, elected him, in April, 1791, to the Legislature. A severe attack of gout seized him just at this time, and in a few days his useful career was ended by death.

Benjamin Harrison married Elizabeth, daughter of Colonel William Bassett, of New Kent County, Va.

Mr. Griggsly, in his book on the Convention of 1776, says, "Of all the ancient families in the Colony, that of Harrison, if not the oldest, is one of the oldest," and adds, "That from the year 1645, to this date, a period of more than two centuries, the name has been distinguished for the patriotism, the intelligence, and the moral worth of those who have borne it."

The third son of Benjamin Harrison and Elizabeth Bassett, viz., William Henry Harrison, was the ninth President of the United States, and the distinguished gentleman who now occupies that exalted position, and who bears the name of the old Virginia Governor, is the honored grandson of the hero of Tippecanoe.

The following are copies of interesting state papers connected with Governor Harrison's administration :

BY HIS EXCELLENCY,  
BENJAMIN HARRISON, ESQUIRE,  
GOVERNOR OF THE COMMONWEALTH OF VIRGINIA.

A PROCLAMATION.

Whereas, the Honorable the Continental Congress have published their proclamation, announcing the signature and ratification of the pre-

liminary articles of peace between the several powers at war, and commanding the citizens of these United States to cease from any farther hostilities against his Britannic Majesty and his subjects, both by sea and land :

I have, therefore, thought fit, by and with the advice of the Council of State, to issue this, my proclamation, hereby enjoining all officers, both civil and military, together with all and every other person of every rank and denomination within this Commonwealth, to pay due obedience to the said proclamation of Congress.

Given under my hand, and the seal of the Commonwealth, at Richmond, in the Council Chamber, this twenty-first day of April, in the year of our Lord one thousand seven hundred and eighty three, and seventh of the Commonwealth.

BENJAMIN HARRISON.

Attest,

ARCH. BLAIR, Clk. of the Council.

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October, 1783.

AN ACT to authorize the Congress of the United States to adopt certain regulations respecting the British trade.

I. Whereas, it appears by an order of the King of Great Britain in council bearing date the second day of July last, made under the express authority of his Parliament, that the growth or produce of any of the United States of America, are prohibited from being carried to any of the British West India Islands, by any other than British subjects, in British built ships, owned by British subjects, and navigated according to the laws of that kingdom.

II. And whereas this proceeding, though but a temporary expedient, exhibits a disposition in Great Britain to gain partial advantages injurious to the rights of free commerce, and is repugnant to the principles of reciprocal interest and convenience, which are found by experience to form the only permanent foundation of friendly intercourse between states: *Be it therefore enacted*, That the United States in Congress assembled, shall be, and they are hereby authorized and empowered to prohibit the importation of the growth or produce of the British West India Islands into these United States, in British vessels, or to adopt any other mode which may most effectually tend to counteract the designs of Great Britain, with respect to the American commerce, so long as the said restriction shall be continued on the part of Great Britain. *Provided*, that this Act shall not be in force until all the states in the Union shall have passed similar laws.

# LXXIV.

## PATRICK HENRY.

*Governor.*

December, 1784, to December, 1786.

PATRICK HENRY was elected a second time, Governor of Virginia, in December, 1784, and continued in office until December, 1786. A sketch of his life having been already given in this work, we avail ourselves of this opportunity to relate some matters pertaining to his personal appearance and character not before mentioned, as well as to note some important events in his second administration.

William Wirt, of Virginia, in his "Sketches of the Life and Character of Patrick Henry," says:

"He was nearly six feet high, spare, and what may be called raw-boned, with a slight stoop of the shoulders—his complexion was dark, sunburnt, and sallow, without any appearance of blood in his cheeks—his countenance grave, thoughtful, penetrating, and strongly marked with the lineaments of deep reflection—the earnestness of his manner, united with an habitual contraction or knitting of his brows, and those lines of thought with which his face was profusely furrowed, gave to his countenance at some times, the appearance of severity—yet such was the power which he had over its expression, that he could shake off from it in an instant, all the sternness of winter, and robe it in the brightest smiles of spring. His forehead was high and straight; yet forming a sufficient angle with the lower part of his face—his nose somewhat of the Roman stamp, though like that which we see in the bust of Cicero, it was rather long, than remarkable for its Cæsarean form—of the colour of his eyes, the accounts are almost as various as those which we have of the colour of the chameleon—they are said to have been blue, grey, what Lavater calls green, hazel, brown, and black—the fact seems to have been that they were of a bluish grey, not large; and being deeply fixed in his head, overhung by dark, long, and full eye-brows, and farther shaded by lashes that were both long and black, their apparent colour was as variable as the lights in which they were seen—but all concur in saying that they were unques-

tionably the finest feature in his face, brilliant, full of spirit, and capable of the most rapidly shifting and powerful expression, at one time piercing and terrible as those of Mars, and then again soft and tender as those of Pity herself—his cheeks were hollow, his chin long, but well formed, and rounded at the end, so as to form a proper counterpart to the upper part of his face. 'I find it difficult,' says the correspondent from whom I have borrowed this portrait, 'to describe his mouth in which there was nothing remarkable, except when about to express a modest dissent from some opinion on which he was commenting—he then had a sort of half-smile, in which *the want of conviction* was *perhaps* more strongly expressed, than the satirical emotion, which probably prompted it. His manner and address to the court and jury might be deemed the excess of humility, diffidence, and modesty. If, as rarely happened, he had occasion to answer any remark from the bench, it was impossible for Meekness herself to assume a manner less presumptuous—but in *the smile* of which I have been speaking, you might anticipate the want of conviction, expressed in his answer, at the moment that he submitted to the *superior wisdom* of the court, with a grace that would have done honour to Westminster hall. In his reply to counsel, his remarks on the evidence, and on the conduct of the parties, he preserved the same distinguished deference and politeness, still accompanied however by the *never-failing index of this sceptical smile*, where the occasion prompted.' In short, his features were manly, bold, and well proportioned, full of intelligence, and adapting themselves intuitively to every sentiment of his mind, and every feeling of his heart. His voice was not remarkable for its sweetness; but it was firm, of full volume, and rather melodious than otherwise. Its charms consisted in the mellowness and fulness of its note, the ease and variety of its inflections, the distinctness of its articulation, the fine effect of its emphasis, the felicity with which it attuned itself to every emotion, and the vast compass which enabled it to range through the whole empire of human passion, from the deep and tragic half-whisper of horror to the wildest exclamation of overwhelming rage. In mild persuasion, it was as soft and gentle as the zephyr of spring; while in rousing his countrymen to arms, the winter storm that roars along the troubled Baltic, was not more awfully sublime. It was at all times perfectly under his command; or rather, indeed, it seemed to command itself, and to modulate its notes, most happily to the sentiment he was uttering. It never exceeded, or fell short of the occasion. There was none of that long continued and deafening vociferation, which always takes place when an ardent speaker has lost possession of himself—no monotonous clanguor, no discordant shriek. Without being strained, it had that body and enunciation which filled the most distant ear, without distressing those which were nearest him; hence it never became cracked or hoarse, even in his longest speeches, but retained to the last all its clearness and fulness of

intonation, all the delicacy of its inflection, all the charms of its emphasis and enchanting variety of its cadence.

"His delivery was perfectly natural and well timed. It has indeed been said, that on his first rising, there was a species of *sub-cantus* very observable by a stranger, and rather disagreeable to him; but that in a very few moments even this itself became agreeable, and seemed, indeed, indispensable to the full effect of his peculiar diction and conceptions. In point of time, he was very happy; there was no slow and heavy dragging, no quaint and measured drawling, with equidistant pace, no stumbling and floundering among the fractured members of deranged and broken periods, no undignified hurry and trepidation, no recalling and recasting of sentences as he went along, no retraction of one word and substitution of another not better, and none of those affected bursts of almost inarticulate impetuosity, which betray the rhetorician rather than display the orator. On the contrary, ever self-collected, deliberate, and dignified, he seemed to have looked through the whole period before he commenced its delivery; and hence his delivery was smooth, and firm, and well accented; slow enough to take along with him the dullest hearer, and yet so commanding, that the quick had neither the power nor the disposition to get the start of him. Thus he gave to every thought its full and appropriate force; and to every image all its radiance and beauty.

No speaker ever understood better than Mr. Henry the true use and power of the *pause*; and no one ever practiced it with happier effect. His pauses were never resorted to for the purpose of investing an insignificant thought with false importance; much less were they ever resorted to as a *finesse*, to gain time for thinking. The hearer was never disposed to ask, 'why that pause?' nor to measure its duration by a reference to his watch. On the contrary, it always came, at the very moment when he would himself have wished it, in order to weigh the striking and important thought which had just been uttered; and the interval was always filled by the speaker with a matchless energy of look, which drove the thought home through the mind and through the heart.

His gesture, and this varying play of his features and voice, were so excellent, so exquisite, that many have referred his power as an orator principally to that cause; yet this was all his own, and his gesture, particularly, of so peculiar a cast, that it is said it would have become no other man. I do not learn that it was very abundant; for there was no trash about it; none of those false motions to which undisciplined speakers are so generally addicted; no chopping nor sawing of the air; no thumping of the bar to express an earnestness, which was much more powerfully, as well as more elegantly, expressed by his eye and his countenance. Whenever he moved his arm, or his hand, or even his finger, or changed the position of his body, it was always to some purpose; nothing was inefficient; every thing told; every gesture, every attitude, every look, was emphatic; all was animation, energy, and dignity. Its great advantage consisted in this

—that various, bold, and original as it was, it never appeared to be studied affected, or theatrical, or ‘to overstep,’ in the smallest degree, ‘the modesty of nature’; for he never made a gesture, or assumed an attitude, which did not seem imperiously demanded by the occasion. Every look, every motion, every pause, every start, was completely filled and dilated by the thought which he was uttering, and seemed indeed to form a part of the thought itself. His action, however strong, was never vehement. He was never seen rushing forward, shoulder foremost, fury in his countenance, and frenzy in his voice, as if to overturn the bar, and charge his audience sword in hand. His judgment was too manly and too solid, and his taste too true, to permit him to indulge in any such extravagance. His good sense and his self-possession never deserted him. In the loudest storm of declamation, in the fiercest blaze of passion, there was a dignity and temperance which gave it seeming. He had the rare faculty of imparting to his hearers all the excess of his own feelings, and all the violence and tumult of his emotions, all the dauntless spirit of his resolution, and all the energy of his soul, without any sacrifice of his own personal dignity, and without treating his hearers otherwise than as rational beings. He was not the orator of a day; and therefore sought not to build his fame on the sandy basis of a false taste, fostered, if not created, by himself. He spoke for immortality; and therefore raised the pillars of his glory on the only solid foundation, the rock of nature.”

In connection with the religious character of Patrick Henry, the following extract is taken from a letter written by the Rev. Mr. Dresser, who had charge of Antrim Parish, Halifax County, Virginia, from 1828 to 1838. Mr. Dresser says:

“He ever had, I am informed, a very great abhorrence of infidelity, and actually wrote an answer to ‘Paine’s Age of Reason,’ but destroyed it before his death. His widow has informed me that he received the communion as often as an opportunity was offered, and on such occasions always fasted until after he had communicated, and spent the day in the greatest retirement. This he did both while Governor and afterward.”

These facts are corroborated by this extract from Mr. Henry’s will, viz.:

“I have now disposed of all my property to my family; there is one thing more I wish I could give them, and that is the Christian religion. If they have that and I had not given them one shilling, they would be rich; and if they have not that and I had given them all this world, they would be poor.”

Mr. W. W. Henry, the accomplished descendant of this great orator, says in his *Life of Patrick Henry* :

“The account of Patrick Henry’s death, written by his grandson, Patrick Henry Fontaine, not only shows the Christian character of the man, but is a beautiful piece of writing. The doctor had given him a last dose of medicine, telling him at the same time, ‘You can live only a very short time without it, and it may possibly relieve you.’ Then Patrick Henry said, ‘Excuse me, doctor, for a few minutes!’ and drawing over his eyes a silken cap which he usually wore, and still holding the vial in his hand, he prayed in clear words a simple, childlike prayer for his family, for his country, and for his own soul, then in the presence of death. Afterwards in perfect calmness, he swallowed the medicine. \* \* \* \* Dr. Cabell went out upon the lawn, but soon came back to his patient, whom he found \* \* \* speaking words of love and peace to his family, who were weeping around his chair. Among other things he told them that he was thankful for that goodness of God which, having blessed him all his life, was then permitting him to die without any pain. Finally, fixing his eyes with much tenderness on his dear friend, Dr. Cabell, with whom he had formerly held many arguments respecting the Christian religion, he asked the doctor to observe how great a reality and benefit that religion was to a man about to die. And after Patrick Henry had spoken to his beloved physician those few words in praise of something which having never failed him in all his life before, did not then fail him in his very last need of it, he continued to breathe very softly for some moments, after which they who were looking upon him saw that his life had departed.”

The period embraced by the second term of Patrick Henry as Governor of Virginia, is very interesting. Among the Acts of 1785 and 1786, will be found, passed into laws, the most important bills, reported to the Legislature in 1779 by the committee of revisers appointed by the Act of 1776. At the session of 1786, an Act passed appointing a committee to take into consideration such of the bills contained in the revisal, prepared and reported by the committee appointed for that purpose in the year 1776, as had not been enacted into laws. This was superseded by the Act of 1789, concerning a new edition of the laws, which was the foundation of the revisal in 1792. The preamble to the Act for the revision of the laws, October, 1776, reads thus :

“Whereas on the late change which hath of necessity been introduced into the form of government in this country, it is become also necessary

to make corresponding changes in the laws heretofore in force, many of which are inapplicable to the powers of government as now organized, others are founded on principles heterogeneous to the Republican spirit, others which, long before such change, had been oppressive to the people, could yet never be repealed while the regal power continued, and others, having taken their origin while our ancestors remained in Britain, are not so well adapted to our present circumstances of time and place; and it is also necessary to introduce certain other laws, which, though proved by the experience of other states to be friendly to liberty and the rights of mankind, we have not heretofore been permitted to adopt; and whereas a work of such magnitude, labor, and difficulty may not be effected during the short and busy term of a session of Assembly: *Be it therefore enacted by the General Assembly of the Commonwealth of Virginia, and it is hereby enacted by the authority of the same*, That a committee, to consist of five persons, shall be appointed by joint ballot of both houses (three of whom to be a quorum), who shall have full power and authority to revise, alter, amend, repeal, or introduce all or any of the said laws, to form the same into bills and report them to the next meeting of the General Assembly."

The committee appointed was Thomas Jefferson, Edmund Pendleton, George Wythe, George Mason, and Thomas Ludwell Lee.

In the House of Delegates, the 18th June, 1779, Benjamin Harrison, Speaker, laid before the House a letter from Thomas Jefferson, Governor of the Commonwealth, and George Wythe, presenting this *accomplished work*.

Such a permanent and radical alteration of the Laws of Virginia will be ever associated with the statesmen above mentioned, and the farther development of this plan will be happily connected with the second term of Patrick Henry as Governor of the state. The importance and significance of these changes are the best indications of the progress of a free and aspiring people.

And so we bring to an end our brief and imperfect sketch of Patrick Henry—a man whose high destiny it was to fire the hearts of an oppressed people to a mighty revolution; who has left us mainly *the ends* for which he strove and not *the means* by which he worked; whose wingèd words, chaining conviction in their flight, and yet refusing to be penned, are known only by the trail of glory they have left behind.



# LXXV.

## EDMUND RANDOLPH.

*Governor.*

December 1, 1786, to December, 1788.

EDMUND RANDOLPH was born in Williamsburg, the Capital of the Colony of Virginia, August 10, 1753. It was in this memorable year that the people of Virginia were alarmed by the report that the French, aided by the Indians, were erecting a long line of military posts on the Ohio ; this led George Washington to offer to Governor Dinwiddie his services, to explore the wild and trackless forests west of the " Blue Mountains," and to convey to the French commandant on this frontier, a letter of inquiry from the Governor of Virginia. History records the perilous nature of this undertaking and the courageous manner in which it was executed. Thus, the year in which Edmund Randolph was born, was signalized as a very important era in the life of his native Colony, where his family had already borne a distinguished part. His father was John Randolph, and his mother, Ariana, daughter of Edmund Jenings. John Randolph was Attorney-General of the Colony, and was the son of Sir John Randolph, who had filled the same office and had received the honor of Knighthood for honorable services to the Crown, being spoken of as a most eminent man in his profession, and one of high character.

Sir John Randolph had two sons, John and Peyton, and they in succession were Attorneys-General of Virginia. At the breaking out of the war, John went to England, and was succeeded in his position by his son Edmund ; but, bitterly repenting his choice, he died abroad of a broken heart, and directed his remains to be brought back to Virginia. They were interred in the College chapel.

Edmund Randolph now began a career of prominence, and figured largely for many years as the defender of his country in the Councils of his state and of the nation, and was the zealous supporter of the Church against all which he believed to be assaults upon her rights. He had been adopted by his uncle, Peyton Randolph, and had espoused his patriotic views with regard to the independence of America. In 1775 he served on the staff of Washington, was a delegate to the Virginia Convention in May, 1776, and from 1779 to 1783 he was a member of the Continental Congress. On the 29th August, 1776, he married Elizabeth, daughter of Robert Carter Nicholas, Treasurer, and Speaker of the House of Burgesses of Virginia.

Being a member of the Virginia delegation to "The Constitutional Convention," which met in Philadelphia, May 25, 1787, Edmund Randolph introduced, on behalf of his delegation, a series of propositions, fifteen in number, embodying a new scheme of central government, known in history as the "Virginia plan." This plan, discussed for two weeks in committee of the whole, was so modified, amended, and changed, that it could only be called *the foundation* of what was finally accepted and signed by the delegates in due form. The authorship of "The Constitution" as then laid down, was clearly the product of many minds, and the source of some of its most vital phrases will never be given to posterity. We only know that the end attained was after long, laborious, anxious discussion and most sagacious compromise. Sectional differences of opinion were reconciled, and a distinct plan of constitutional union finally arranged. Washington presided at this Convention, and by his inflexible course did much to keep the assembly together—a convention whose almost continuous session of four months had more than once threatened to break up in disorder.

It is to be regretted that so little can be known of the Constitutional Convention of Philadelphia; but the injunction of secrecy under which its deliberations were held, was never removed. The official Journal deposited by Washington in the public archives, and Madison's Notes (all given

to the public at a later day), are the only extended testimony to throw light on this intensely interesting period—a time when Washington himself declared that our political affairs were “suspended by a thread.” In that dread crisis the past furnished no light to guide the statesman of this august meeting; the present was full of doubt and despair, and the destiny of the American Liberty hung trembling in the balance. But, in this juncture, the majestic reason of George Washington triumphed. “It is too probable,” he said, “that no plan we propose will be adopted. Perhaps another dreadful conflict is to be sustained. If, to please the people, we offer what we ourselves disapprove, how can we afterward defend our work? Let us raise a standard to which the wise and honest can repair; the event is in the hands of God.” If, in this memorable speech, Washington counseled immediate action, and thereby cemented the opposing sentiments of the Convention by one decisive and imperishable step; if he now laid the foundation of honesty and purity in Constitutional government, we, the heirs of this rich legacy, are indebted no less to another Virginian for making the Constitution, practically, all that it has been, is, and yet may be. To John Marshall, Chief Justice of the United States from 1801 to 1835, do we turn with gratitude for lifting these Resolutions from the mist and cloud of Doubt, to be the radiant source of light, and life, and happiness to millions of enraptured freemen. When as yet the Constitution was a doubtful experiment, Judge Marshall, by his clear, unanswerable logic, laid it before an eager world as a wonderful combination of Liberty and Law, and by his practical construction of its beneficent provisions, he established it in the hearts and minds of his fellow-citizens as a wise and never-to-be-abandoned system of free government.

At the close of the momentous deliberations of the Constitutional Convention, the plan adopted was disapproved by Edmund Randolph, but, in June, 1788, when it was submitted to the Virginia Convention in Richmond for ratification, he pronounced decidedly for it.

Of the deputies from Virginia who signed the Constitution

in Philadelphia, September 17, 1787, were George Washington, John Blair, James Madison, Jr. Those of the Virginia delegation who did not then sign it, were Edmund Randolph, George Mason, George Wythe, James McClurg. But the Constitution was finally accepted by Virginia through her Convention held at Richmond, and ratified June 25, 1788, by a vote of 89 to 79.

Upon the resignation of Patrick Henry as Governor of Virginia, Edmund Randolph was elected to succeed him, December 1, 1786, and remained in this important office until December, 1788. A glance at the Acts of Assembly during this period will show the varied subjects which claimed the attention of his administration, developing through the laws enacted the gradual and intelligent progress of a people in the difficult experiment of self-government.

In 1784 Edmund Randolph had been appointed Deputy-Grand Master of the Grand Lodge of Ancient, Free, and Accepted Masons of Virginia, and in 1786 he was elected Grand Master of the same body, when he named the Honorable John Marshall as his Deputy. His name is masonically perpetuated in the Richmond Randolph Lodge, No. 19, chartered October 19, 1787. It is also a matter of interest to note, that Edmund Randolph, on the 28th April, 1788, at the earnest desire of the members, named "our illustrious and well-beloved brother, George Washington, Esquire, late General and Commander-in-Chief of the forces of the United States of America," as Master of the "Alexandria Lodge, No. 22." After the death of Washington the name was changed to the "Alexandria Washington Lodge, No. 22."

In 1790 Edmund Randolph was appointed by Washington the first Attorney-General of the United States, a position which, as a man of elegant manners and an accomplished lawyer, he was well fitted to adorn. On August 2, 1794, he succeeded Jefferson as Secretary of State, which office he held until the 19th August, 1795, when he withdrew to private life and resumed the practice of law. The fact that he retired from the Cabinet of Washington was made the occa-

sion of much comment by his political antagonists. He published a "Vindication" of his course, which ably and effectually silenced the calumnies of his enemies.

Edmund Randolph spent the latter part of his life chiefly with his daughter, Mrs. Bennett Taylor, of Frederick County, and lies buried by her side in the old graveyard of that parish. Bishop Meade, of Virginia, says of the latter days of Mr. Randolph's life, viz. :

"I saw him during this period, and conversed with him on religious subjects, in which he seemed to take a deep interest. McKnight's 'Commentary on the Epistles' came out about this time, and Mr. Randolph, who had probably never been much conversant with such books, became passionately fond of it, and sometimes talked of preparing and publishing some selections from it, or an abridgment of it, that others might enjoy the pleasure he had experienced in some of its elucidations of Scripture, which seemed to him, to use his own language, 'like a new revelation on some dark points.' "

Mr. Randolph died at "Carter Hall," the seat of Colonel Nathaniel Burwell, of Frederick County, on September 12, 1813, bringing to a close a life of honorable distinction and wide-spread usefulness.

# LXXVI.

## BEVERLEY RANDOLPH.

*Governor.*

December 1, 1788, to December 1, 1791.

BEVERLEY RANDOLPH, son of Colonel Peter and Lucy Bolling Randolph, was born at "Chatsworth," Henrico County, Virginia, in 1754, and was third in descent from William Randolph of "Turkey Island." He was educated at William and Mary College, where he graduated in 1771, and was, during the Revolution, a patriotic supporter of colonial independence. He was a member of the General Assembly, and succeeded Edmund Randolph as Governor of Virginia December 1, 1788. In this position he served until December 1, 1791. Many important Acts were passed during his administration; among others may be noted:

"An Act concerning a new edition of the Laws of this Commonwealth, reforming certain rules of legal construction, and providing for the due publication of the Laws and Resolutions of each session." Passed November 18th, 1789.

"An Act to amend an Act entitled 'An Act establishing District Courts, and for regulating the General Court.'" Passed December 17, 1789.

"An Act concerning the erection of the district of Kentucky into an independent state." Passed December 18, 1789.

"An Act repealing a part of the Ordinance by which certain English statutes were declared to be in force within this Commonwealth." Passed November 25, 1789.

"An Act for amending the Acts concerning the Court of Appeals." Passed November 19, 1789.

"An Act to fix the time of holding elections for representatives to Congress." Passed December 1, 1789.

These, and many other measures pertaining to the internal

growth and welfare of the Commonwealth, were evidences of the gradual evolution in progress, for "the laws of a country are necessarily connected with everything belonging to the people of it."

Among the interesting Acts of Virginia during Beverley Randolph's administration, was the cession of ten miles square for the permanent seat of the general government. After the organization of the government under the Constitution, March 4, 1789, warm discussions took place in Congress on the location of the Capital, which were finally settled by the passage, June 28, 1790, of an Act containing the following clause:

"That a district of territory on the river Potomac, at some place between the mouths of the Eastern branch and the Connogacheague be, and the same is hereby accepted for the permanent seat of the government of the United States." The same Act provided that Congress should hold its sessions at Philadelphia until the first Monday in November, 1800, when the government should remove to the district selected on the Potomac. The area fixed upon for the district was a square of 10 miles or 100 square miles. It embraced 64 square miles of Maryland, constituting the County of Washington, which was ceded by that State to the United States in 1788, and 36 square miles of Virginia, constituting the County of Alexandria, ceded in 1789, as follows:

AN ACT for the cession of ten miles square, or any lesser quantity of territory within this state, to the United States, in Congress assembled, for the permanent seat of the general government.

(Passed the 3d of December, 1789.)

SECT. 1. Whereas the equal and common benefits resulting from the administration of the general government will be best diffused, and its operations become more prompt and certain by establishing such a situation for the seat of the said government, as will be most central and convenient to the citizens of the United States at large, having regard as well to population, extent of territory, and a free navigation to the Atlantic Ocean, through the Chesapeake Bay, as to the most direct and ready communication with our fellow-citizens in the western frontier: *And whereas* it appears to this Assembly, that a situation combining all the considerations and advantages before recited may be had on the banks of the River Patowmack, above tide-water, in a country rich and fertile in soil,

healthy and salubrious in climate, and abounding in all the necessities and conveniences of life, where, in a location of ten miles square, if the wisdom of Congress shall so direct, the States of Pennsylvania, Maryland, and Virginia, may participate in such location.

*Be it therefore enacted by the General Assembly,* That a tract of country, not exceeding ten miles square, or any lesser quantity, to be located within the limits of this State, and in any part thereof as Congress may by law direct, shall be, and the same is, hereby forever ceded and relinquished to the Congress and Government of the United States, in full and absolute right, and exclusive jurisdiction as well of soil as of persons residing or to reside thereon, pursuant to the tenor and effect of the eighth section of the first Article of the Constitution of government of the United States.

Sect. 2. *Provided,* that nothing herein contained shall be construed to vest in the United States, any right of property in the soil, or to affect the rights of individuals therein, otherwise than the same shall or may be transferred by such individuals to the United States.

Sect. 3. *And provided also,* That the jurisdiction of the Laws of this Commonwealth over the persons and property of individuals residing within the limits of the cession aforesaid, shall not cease or determine until Congress, having accepted the said cession, shall by law provide for the government thereof, under their jurisdiction, in manner provided by the Article of the Constitution before recited.

Thus Virginia stood ready with her largess to the general weal, and with accustomed promptness met the pressing demands of the hour. The year of 1790 opened auspiciously—business over the whole country was prospering, commerce increasing, and the outlook was very encouraging.

During this period of growing interest, Governor Randolph filled his important office with honor to himself and satisfaction to his people.

He had married Martha Cooke, and died at his seat, "Green Creek," in February, 1797, leaving numerous descendants.



# LXXVII.

HENRY LEE.

*Governor.*

December 1, 1791, to December 1, 1794.

HENRY LEE, the second child of Henry Lee and Lucy Grymes, was born January 29, 1756, at "Leesylvania," his father's seat, which was situated on a point of land jutting into the Potomac three miles above Dumfries, then the county town of Prince William County. He was educated at Princeton College, where he early displayed a genius which later events developed, and which displayed itself in a remarkably distinguished military career. He was preparing himself for the profession of law, and was about to sail for England to pursue that study when the outbreak of war changed his destiny. Soon after the battle of Lexington, at the age of nineteen, he entered the army as captain of cavalry. He was present at many important actions in the Northern Department of the United States, was in the battles of Brandywine, Germantown, and Springfield, and by his prompt and sagacious course soon became a favorite of General Washington.

In the difficult and critical operations in Pennsylvania, New Jersey, and New York, Lee was always placed near the enemy and reserved for the command of situations which required the exercise of those high talents with which he was endowed. He was promoted to the rank of Major, in command of a separate corps of cavalry, and Congress, in November, 1780, advanced him to a lieutenant-colonelcy of dragoons, and added to his corps three companies of infantry. It has been said by a distinguished writer, in speaking of Lee's command:

"It was, perhaps, the finest corps that made its appearance on the arena of the Revolutionary War. It was formed expressly for Colonel

Lee, under an order of General Washington while the army lay in New Jersey. It consisted, at this time, of about 300 men in equal proportion of infantry and horse. Both men and officers were picked from the army; the officers with reference only to their talents and qualities for service, and the men, by a proportionable selection from the troops of each state enlisted for three years or for the war."

As an illustration of Henry Lee's coolness and daring, we will recount briefly two incidents in his Northern campaign. During the occupation of Philadelphia by the British, Lee's activity and success in cutting off their supplies and communications, drew upon him the special attention of the enemy. They determined to surround and capture or destroy him. This movement resulted in driving him into the "Spread Eagle Tavern," of which we have the following account :

"General Weedon, in a letter to R. H. Lee, dated Valley Forge, 1st February, 1778, states that a surprise was attempted by two hundred British light horse against Captain Harry Lee, who was quartered about six miles below Valley Forge. The enemy on the night of the 20th January, set out upon this expedition by a circuitous route of twenty miles, eluded the vigilance of his vedettes, and reached his quarters at daylight. With great activity Lee first secured the doors, which they made fruitless attempts to force; then mustered his garrison, consisting of a corporal and four men, Lieutenant Lindsay, Major Jamieson, and himself, amounting to eight in all; and by judiciously posting them, though not sufficient in number to man each window, he obliged the enemy to retire after an action of half an hour. Lieutenant Lindsay received a slight wound in the hand; four or five of his men, who were out of the house, were captured. Five of the attacking party were killed and several wounded. When foiled in their attempt to force the doors, they endeavored to take off the horses from a stable near the house, which was enfiladed by the end window. To this place Lee immediately drew his force, and, to deceive the enemy, cheered loudly, exclaiming, 'Fire away, men, here comes our infantry; we will have them all!' This produced a precipitate retreat. He then sallied, mustered his troops, and pursued, but to no purpose. Garden adds, 'He assured the dragoons under his command, who gallantly joined in defending the house, that he should consider their future establishment in life as his peculiar care, and he honorably kept his word. They were all in turn commissioned, and by their exemplary good conduct increased their own renown, and the reputation of their regiment.'"

This event gave the Commander-in-Chief great pleasure, and he mentioned it in his orders with special approbation.

Again Major Lee made a brilliant and successful movement upon the British post at Paulus's Hook (now Jersey City), toward the close of the summer of 1779.

"After the recapture of Stony Point, toward the close of the summer of 1779, while Sir Henry Clinton was encamped upon Harlem Heights, a plan was formed for surprising the garrison at Paulus's Hook. The enterprise was intrusted to Major Henry Lee, then on the west side of the Hudson, back of Hoboken. A feeling of security made the garrison careless, and they were unprepared for a sudden attack when it was made. Preparatory to the attack, troops were stationed near the Hudson to watch the distant enemy, who might cross the river and intercept retreat, for it was not designed to hold the post when captured. Lee marched with three hundred picked men, followed by a strong detachment from Lord Stirling's division as a reserve. Lee's march toward Bergen excited no surprise, for foraging parties of Americans as large as this were often out in that direction. The reserve halted at the new bridge over the Hackensack, fourteen miles from the Hook, from which point Lee had taken the road among the hills, nearest the Hudson. At three o'clock on the morning of the nineteenth of August (1779), Lee reached the Harsimus Creek, at the point where the railway now crosses it, and within half an hour he crossed the ditch through the loosely barred gate, and entered the main work undiscovered. The sentinels were either absent or asleep, and the surprise was complete. He captured one hundred and fifty-nine of the garrison including officers, and then attacked the circular redoubt, into which a large portion of the remainder retreated, with the commander. It was too strong to be effected by small arms, and Lee retreated with his prisoners, with the loss of only two killed and three wounded, and arrived at camp, in triumph, at about ten o'clock in the morning. This gallant act was greatly applauded in the camp, in Congress, and throughout the country, and made the enemy more cautious. On the twenty-second of September following, Congress honored Lee with a vote of thanks, and ordered a gold medal to be struck and presented to him. On one side is a bust of the hero with the words, '*Henrico Lee, Legionis Equit Prefecto Comitia Americana.*' The American Congress to Henry Lee, colonel of cavalry. On the reverse, *Non obstantib. Fluminibus Vallis. Astutia Virtute Bellica Parva Manu Hostes Vicit Viētosq. Armis Humanitate Devinxit. In Mem Pugn. Paulus Hook Die XIX Aug. 1779.*' Notwithstanding rivers and intrenchments, he with a small band conquered the foe by warlike skill and prowess, and firmly bound by his humanity those who had been conquered by his arms. In memory of the conflict at Paulus's Hook, nineteenth of August, 1779."

The theatre of Colonel Lee's unique and brilliant operations was, in 1781, changed from the North to the South,

and in his "Memoirs of the War in the Southern Department of the United States," is preserved a thrilling and truthful account of that historic period. In January, 1781, he marched his legion to the South and joined the army of General Greene. General Washington wrote, October 23, 1780: "Lee's corps will go to the southward; I believe it will be found very useful; the corps is an excellent one, and the officer at the head of it has great resources of genius." These resources soon had an ample drain upon them—in the expedition to the Haw; when he crossed the Dan; in his plan to ensnare Pyle; at Guilford Court House; in the skirmishes near the Dan; when he rejoined Greene and crossed the Haw; in his skirmish with Tarleton; at the battle of Guilford; at Fort Watson; at the siege of Fort Motte; when he captured Fort Granby and Fort Galphin; at Forts Cornwallis and Grierson; at the siege of Fort Ninety-six; at Eutaw Springs; when he captured Fort Watson; at the siege of Augusta; when he joined General Marion at Quinby's Bridge. His impetuous charge at the battle of Eutaw Springs saved the day, and in the wide-spread sweep which Lee's legion made from the Santee to Augusta, we gather some idea of his qualities and success as a soldier. From April 15th to June 5th, acting sometimes with Marion, afterwards with Pickens, and often alone, Lee's legion constituted the principal force which carried the British strongholds. They made over 1100 prisoners, a number which quadrupled their own. Under such incessant and arduous service Colonel Lee's health became seriously impaired.

In October, soon after the battle of Eutaw, Lee was sent on a special mission to Washington, and he arrived at Yorktown about the period of the surrender of Cornwallis. Returning South he remained until the close of the campaign, when he retired from the army. He parted with sorrow from the noble corps he had often led to battle, and separated from his commander and brother officers with sincere regret; but he carried with him "the love and thanks" of the great Washington, and the following tribute from Nathaniel Greene, viz.:

"Everybody knows I have the highest opinion of you as an officer, and you know I love you as a friend; whatever may be your determination, to retire or continue in service, my affection will accompany you. I am, with esteem and affection, your most obedient humble servant,

NATHANIEL GREENE."

Headquarters, January 27th, 1782.

Colonel Lee returned to Virginia, and a short while after, married Matilda, eldest daughter of his kinsman, Philip Ludwell Lee, of "Stratford," on the bluffs of the Potomac, Westmoreland County, Va.

Soon after the settlement of peace, Colonel Lee was elected a member of the Virginia delegation to Congress, where he devoted himself to advancing measures preparatory to the adoption of the Federal Constitution.

"He was also among those of General Washington's friends who most earnestly persuaded him to undertake the all-important duties of the first presidency. Happening to be in the vicinity of Mount Vernon, when Washington was about to fill for the first time the office of President, on the impulse of the moment, he prepared the address which was presented to that illustrious man by his neighbors, and was so well adapted to the occasion as to be thought by Marshall worthy to be transferred to the pages of history."

"The sentiments of veneration and affection which were felt by all classes of his fellow-citizens for their patriot chief, were manifested by the most flattering marks of heartfelt respect; and by addresses which evinced the unlimited confidence reposed in his virtues and talents. Although a place cannot be given to these addresses generally, yet that from the citizens of Alexandria derives such pretensions to particular notice from the recollection that it is to be considered as an effusion from the hearts of his neighbors and private friends, that its insertion may be pardoned. It is in the following words: "Again your country commands your care; obedient to its wishes, unmindful of your ease, we see you again relinquishing the bliss of retirement; and this, too, at a period of life, when nature itself seems to authorize a preference of repose. Not to extol your glory as a soldier; not to pour forth our gratitude for past services; not to acknowledge the justice of the unexampled honor which has been conferred upon you by the spontaneous and unanimous suffrage of three millions of free-men, in your election to the supreme magistracy; nor to admire the patriotism which directs your conduct, do your neighbors and friends now address you. Themes less splendid, but more endearing, impress our minds. The first and best of citizens must leave us; our aged must lose their ornament; our youth their model; our agriculture its improver; our commerce its friend; our infant academy its protector; our poor their

benefactor; the interior navigation of the Potomac (an event replete with the most extensive utility, already by your unremitted exertions brought into partial use) its institutor and promoter. Farewell! go, and make a grateful people happy, a people who will be doubly grateful when they contemplate this recent sacrifice for their interest. To that Being who maketh and unmaketh at His will, we commend you; and after the accomplishment of the arduous business to which you are called, may He restore to us again the best of men, and the most beloved fellow-citizen."

In 1788 Colonel Lee was a member of the Virginia Convention to decide upon the adoption of the Constitution, and was an earnest advocate of the measure. He subsequently served in the Virginia House of Delegates, and in 1791 was elected Governor of the Commonwealth for the term of three years.

Colonel Lee's private life was at this time shadowed by sickness and death in his family. From Stratford, March 4th, 1790, he writes to Mr. Madison :

"Mrs. Lee's health is worse and worse. She begs you will present her most cordially to her friends, Mrs. Colden and Mrs. Hamilton, and unites with me in best wishes for your health and happiness."

His biography goes on to state: "This was her last message. She is mentioned no more in their correspondence. A few days after this he suffered a second calamity, in the death of his eldest son, a beautiful boy of ten years old. He was devoted to the child, and found some consolation in wearing his miniature, which is still preserved in the family. He had previously lost a son, who died in infancy, named Nathaniel Green. Two other children remained to him, a daughter, Lucy; and a son, Henry, who so eloquently defended his memory, and who died in Paris, in 1837."

On December 1, 1791, Colonel Lee entered upon his duties as Governor of the Commonwealth of Virginia. This high office he filled honorably and creditably. On June 18, 1794, he married Anne Hill, daughter of Charles Carter, of "Shirley," James River.

But Governor Lee's life of civic distinction was broken in upon by a call to military duty. The Whisky Insurrection in Western Pennsylvania, resisting all peaceable attempts at dispersion, demanded a forcible suppression. To Governor Lee, Washington intrusted the general command of an expedition into the insurgent counties, con-

ducting the forces himself as far as Bedford. Requisitions had been made upon the Governors of Pennsylvania, Maryland, Virginia, and New Jersey for 15,000 men in all. The Pennsylvania and New Jersey troops formed the right wing, and those of Virginia and Maryland the left. Over the Alleghanies they made their toilsome way just after a severe rain, wading knee deep in mud. On the other side of the mountains, they found that the advance of such a heavy force had terminated all resistance, and they soon resumed their march homeward.

In 1799 General Lee again served in Congress, and when intelligence was received of the death of Washington, he was appointed by the House to pronounce an eulogium. The Resolutions which he drew up on this occasion contained the words, now ever associated with Washington, "*First in war, first in peace, first in the hearts of his countrymen.*" In 1809 General Lee wrote his "Memoirs of the War in the Southern Department of the United States." This book was re-published in 1827, with additions by his son, Major Henry Lee, and again in 1869, with revisions and a biography of the author, by his son, General Robert E. Lee. Possessing the peculiar charm of being written by an eye-witness of the scenes described, it is also a valuable contribution to the history of a period whose tremendous issues still fire the soul after the lapse of a hundred years.

In 1811 General Lee removed with his family to Alexandria, for the purpose of educating his children, who, by his second marriage, were Charles Carter, Sidney Smith, Robert Edward, Anne Carter, and Mildred. About this time the second war with England stirred his soldier heart, and after the disastrous campaigns in Canada he was offered and accepted a Major-General's commission in the army. Preparing to leave home at this summons,

"Business called him to Baltimore, and being in Mr. Hanson's house for the purpose of transacting it, he was detained there so long that when about to leave, he found it so surrounded by a mob as to prevent his departure. The results of that night, fatal to General Lingán, nearly fatal to General Lee, and disgraceful to party spirit, are too well known to need

repetition. The injuries he received prevented his taking part in the War of 1812, and eventually terminated his life."

The outrages of this mob grew out of indignation at the strictures on the declaration of war, published by the "Federal Republican," a newspaper printed in Baltimore.

Suffering acutely from the wounds inflicted at this time, and being advised to try the mild climate of the West Indies, General Lee set sail thither in 1813, and died on his homeward voyage March 25, 1818.

Instead of landing at Savannah, he only reached Cumberland Island, on the coast of Georgia. Here he was received by Mrs. Shaw, the daughter of General Greene. He expired at the home of his late beloved commander, and his remains were placed by his side.

Thus closed the career of a distinguished Virginian, who bequeathed an honorable record of soldierly prowess and statesmanly ability to his family, his state, and his country; but, whose *greatest* gift was in that son, who in later days did tread "the ways of glory" and the path of pain—Robert Edward Lee, the peerless knight, the perfect soldier, the humble Christian, the complete man!

Lee County, formed in 1792 from Russell County, was named in honor of Governor Lee.



# LXXVIII.

ROBERT BROOKE.

*Governor.*

December 1, 1794, to December 1, 1796.

THE year in which Robert Brooke became Governor of Virginia, had been signalized by two very important events in the United States :

“1. The insurrection in Western Pennsylvania; 2. Wayne’s victory over the Northwestern Indians.

“The first, taught Americans, among other lessons, that the new central government was strong enough in the hearts of the people to crush out banded resistance to its lawful authority in any local confines.

“The second, broke the backbone of the Indian War, and proved it thenceforth impossible for the copper-colored tribes to stem the course of white emigration towards the Mississippi.”

On the 1st of January of this year, also, the foreign and domestic debts of the United States did not exceed the sum of forty-eight millions of dollars, so that the position of the country in every aspect was of the most encouraging character at home, and foreign relations were, for the time, tranquil. In 1795, Washington in his address to Congress, December 3, presents a pleasing view of the prosperity of the nation :

“Our agriculture, commerce, and manufactures prosper beyond former example. Our population advances with a celerity, which, exceeding the most sanguine calculations, proportionally augments our strength and resources, and guarantees our future security. Every part of the Union displays indications of rapid and various improvement, and with burdens so light as scarcely to be perceived, with resources fully adequate to our present exigencies, with governments founded on the genuine principles of rational liberty, and with mild and wholesome laws, is it too much to

say, that our country exhibits a spectacle of national happiness never surpassed, if ever before equalled?"

Under such favorable auspices, Robert Brooke became the chief executive of the Old Dominion. His grandfather had been a native of England, but came to Virginia in 1710 with Robert Beverley, the historian, and Governor Spotswood. He accompanied the latter on his famous expedition across the Blue Ridge Mountains, and was decorated with one of the Horseshoe badges, in memory of the trip. The badge is said to be still in the possession of his descendants. It consists of a golden horseshoe set with garnets, having inscribed on it the motto :

"*Sic juvat transcendere montes.*"

This Knight of the Horseshoe, Brooke, had several sons, the youngest of whom, Richard, married a Miss Taliaferro. Their son, Robert, is the subject of this sketch. He was educated at the University of Edinburgh, and did not return to Virginia until the Revolutionary War was in progress. On his voyage home he was captured and carried to New York, from whence he was sent back to England by Lord Howe, the British Admiral. From England Robert Brooke went to Scotland, and finally made his way to France, from which country he sailed to Virginia in a frigate containing arms which were supplied to the Continentals by the French government.

He immediately enlisted in the cause of independence, and joined a volunteer troop of cavalry commanded by Captain Larkin Smith. He was captured January, 1781, in a charge of dragoons at Westham, six miles below Richmond, but was soon exchanged, and returned at once to the service. After the close of the war he began the practice of law, and in this noble profession acquired marked distinction.

In 1794, Robert Brooke represented the County of Spotsylvania in the House of Delegates of Virginia, and in the same year was elected Governor of the state by the Legislature.

Upon the duties of this high office he entered December 1, 1794.

In 1795, Governor Brooke was elected Grand-Master of the Grand Lodge of Ancient Free and Accepted Masons of Virginia, and served until 1797.

His term as Governor having expired 1796, he was in 1798 elected Attorney-General of Virginia. In this office he died in 1799, aged only thirty-eight years.

Robert Brooke's career was brief but brilliant, and before he had reached the prime of life, he was called by death to give up the rewards of honor and merit which his people delighted to bestow upon him.

The County of Brooke, formed in 1797 from Ohio County, was named in honor of Governor Brooke.

# LXXIX.

JAMES WOOD.

*Governor.*

December 1, 1796, to December 1, 1799.

JAMES WOOD, gentleman, having surveyed and laid out a parcel of land at the Court House, in Frederick County, Virginia, in twenty-six lots of half an acre each, with streets, for a town by the name of Winchester, and having sold the same to divers persons, who built and settled thereon, the town was duly established by Act of Assembly, February, 1752, Robert Dinwiddie, Governor. So, James Wood, gentleman, may be justly regarded as the founder of this interesting Virginia town. He was also the founder of a distinguished family. His son, James Wood, Junior, was born about 1750, in Frederick County, a county which he subsequently represented in the Virginia Convention of 1776, memorable for having framed the State Constitution. From that body he received a commission, November 15, 1776, as Colonel in the Virginia line, where he rendered gallant service; he was also engaged in the defense of the frontiers of Virginia against the Indians. He was long a member of the State Council, and on December 1, 1796, was elected Governor of the State. This year was marked by some important events, chief among them being Washington's retirement from public life. In his last speech to Congress he says (December 7, 1796):

"The situation in which I now stand, for the last time, in the midst of the representatives of the people of the United States, naturally recalls the period when the administration of the present form of government commenced, and I cannot omit the occasion to congratulate you and my country on the success of the experiment; nor to repeat my fervent supplications to the Supreme Ruler of the Universe and Sovereign Arbiter of Nations, that His providential care may still be extended to the United States; that the virtue and happiness of the people may be preserved;

and that the government which they have instituted for the protection of their liberties, may be perpetual."

During this period, also, the great struggle between the Federalists and Republicans was at its height; and the Alien and Sedition Laws, acts of the Adams administration, though aimed at French emissaries who were disturbing the public peace, startled the people as an invasion of the liberty of *the citizen*. Virginia began to arm. The Assembly directed the erection of two arsenals and an armory sufficient to store ten thousand muskets; and on December 2, 1798, passed the celebrated "Resolutions of '98-'99." These Resolutions declared "The Alien and Sedition Laws" to be an exercise of *other powers* than those conferred upon the General Government.

It was in the midst of this political turmoil that the two greatest Virginians of the century died. Patrick Henry expired in June, and Washington in December, 1799. Both died in the Christian faith.

James Wood, as Governor of Virginia, upon whom was imposed so many important duties in an epoch of important events, maintained the dignity of his station and the honor of his people in a notable degree. After his term of office as Governor was filled, he was commissioned a Brigadier-General of state troops; he was also, for a time, President of the Virginia branch of the Order of the Cincinnati. He died in Richmond, Virginia, June 16, 1813.

The County of Wood, formed in 1799, from Harrison County, was named in commemoration of his patriotic services.

Governor Wood sustained a high reputation as an officer in the Revolutionary War, and although opposed to the prevailing political opinions of Virginia during the administration of President Adams, he enjoyed such a share of the confidence of the people as to be placed at the head of their State Government.

# LXXX.

## JAMES MONROE.

*Governor.*

December 1, 1779, to December 1, 1802.

JAMES MONROE, twice Governor of Virginia, and twice President of the United States, held the reins of government in state and national affairs at important periods, and administered the high offices to which he was called with prudence, ability, and a complete devotion to the public good. He was the son of Spence Monroe, a planter descended from Captain Monroe, an officer in the British Army under the reign of Charles I., who emigrated to Virginia in 1632. James Monroe was born in Westmoreland County, Virginia, April 28, 1758. He was educated at William and Mary College, which institution he left in 1776, to enter the army as a cadet. Not waiting to finish his course of education, he offered himself to his country's service in the time of her adversity. He was soon commissioned Lieutenant, and took an active part in the campaign on the Hudson. In the attack on Trenton, at the head of a small detachment, he captured one of the British batteries. On this occasion he received a ball in the shoulder, and was promoted to a captaincy for gallantry on the field. He returned to the army to serve as Aide-de-Camp to Lord Stirling, with the rank of Major, taking part in the campaigns of 1777 and 1778, and distinguishing himself in the battles of Brandywine, Germantown, and Monmouth. By accepting the place of Aide to Lord Stirling, James Monroe lost his rank in the regular line, and failing in his efforts to re-enter the army as a commissioned officer, he returned to Virginia to study law under the direction of Thomas Jefferson, then Governor of the state. When the British appeared soon afterwards in Vir-

ginia, Monroe exerted himself in organizing the militia of the lower counties, and served as a volunteer with the Virginia forces raised to meet the invading armies of Arnold and Cornwallis. In 1782 he was elected to the Assembly of Virginia from King George County, and was appointed by that body a member of the Executive Council at the age of twenty-three.

On June 9, 1783, he was elected to the House of Representatives, of which body he continued a member until the close of the session of 1786.

In 1785 he married a daughter of Lawrence Kortright, of New York, a lady celebrated for her beauty and accomplishments, and after the expiration of his term in Congress, being ineligible for the next three years, Monroe settled in Fredericksburg, Virginia.

In 1787 he was re-elected to the General Assembly, and in 1788 was chosen a delegate to the Virginia Convention to decide upon the adoption of the Federal Constitution. In 1785, when in Congress, he had advocated an extension of the powers of that body and moved to invest it with authority to regulate trade between the states. This led to the Convention at Annapolis and the subsequent adoption of the Federal Constitution at the famous Convention held in Philadelphia, 1787. But, when that instrument was presented to the Virginia Convention for ratification, James Monroe opposed its adoption, fearing that without amendment it would confer too much power upon the general government. The course of the minority in Convention was approved by the great mass of the people of Virginia, and Monroe was chosen United States Senator in 1790. Here he was a prominent representative of the anti-Federal party until the end of his term in 1794. In this year he was appointed to succeed Gouverneur Morris as Minister to France. Reaching Paris August 2, shortly after the fall of Robespierre, Monroe was received by the National Convention of France in full session, on the 15th, with enthusiastic demonstrations of respect. The occasion ended by the President of the Convention giving Monroe "*the accolade*," or national embrace, and the Assem-

bly decreed that the flags of the United States and of France should be displayed together in the hall of the Convention. But, Monroe's marked exhibition of sympathy with the French Republic, displeased the home administration, as John Jay had been sent to England to negotiate a treaty, which these expressions were calculated to impede. So, with charges that he had transcended instructions on the one hand, and failed to present the Jay Treaty in its true character to the French Government on the other, in December, 1796, Monroe was recalled. On his return to America, he published a "View of the Conduct of the Executives in the Foreign Affairs of the United States," which explained his position in the trying circumstances in which he had been placed. His own county, immediately upon his arrival, returned him to the state Legislature, and in 1799 he was elected Governor of Virginia.

The first year of Governor Monroe's administration was marked by the historic event known as "Gabriel's Insurrection." The immediate cause of this affair was never traced, but its sinister design, though imperfectly conceived and wholly frustrated, has made it a dark page in the annals of Virginia. At mid-day on the 30th August, 1800, Governor Monroe was informed that the slaves in the neighborhood of Richmond would rise that night, would murder their masters and families, proceed to Richmond, be joined there by other slaves, when they would seize the public arms and ammunition, kill the whites, and take possession of the city. This timely warning, together with the providential interposition of a storm which made certain streams impassable, frustrated this wicked plan. The plot was fully exposed, and it was satisfactorily demonstrated that a general insurrection of the slaves in the state was contemplated. The ring-leaders were caught and executed on the 12th and 15th of September, and "Gabriel," the chief conspirator, suffered death in January following. Governor Monroe's action in this crisis was prompt and decisive. He called at once several regiments of state militia into service, and by vigilance and determination crushed and extinguished "Gabriel's Insurrection."



An event occurred in the last year of this term of Governor Monroe which must be briefly noted here. On July 6, 1802, in Winchester, Virginia, a Revolutionary hero of uncommon fame passed away. "Daniel Morgan, of Virginia rifle renown—served everywhere, surrendered nowhere, served to the end of the war—died July 6, 1802," is the short but telling tribute paid this brave soldier in the "Records of the Revolutionary War." He was born in New Jersey in 1737, and at an early age came to Virginia. He was a private soldier under Braddock in 1755, and when the Revolutionary War broke out he joined the army under Washington, at Cambridge, and commanded a corps of riflemen. He accompanied Arnold to Quebec, and distinguished himself greatly in the siege of that city. Later he was appointed to the command of the 11th Virginia Regiment, in which was incorporated his rifle corps. Winning ever laurels at the North, he became even more brilliant in his exploits when ordered to the South, and as a partisan officer won such fame that, after his victory at the Cowpens, Congress voted him a gold medal. After the war he was elected a member of Congress, but resided chiefly on his estate in Clarke County, Virginia. He died in Winchester, Virginia, and the following is the inscription upon the simple slab which covers his grave :

"Major-General Daniel Morgan departed this life on July 6, 1802, in the sixty-seventh year of his age. Patriotism and valor were the prominent features of his character, and the honorable services he rendered to his country during the Revolutionary War crowned him with glory and will remain in the hearts of his countrymen, a perpetual monument to his memory."

The occurrences of 1802, during Governor Monroe's first term in that office, would be imperfectly chronicled if the date of Daniel Morgan's death did not recall the lustre he shed upon the annals of Virginia.

At the close of his term as Governor, James Monroe was appointed Envoy Extraordinary to the French government, to negotiate in conjunction with the resident Minister, Mr. Livingston, the purchase of Louisiana, or a right of depot for the United States on the Mississippi. This was soon

accomplished, and in two weeks the "Territory of Orleans" and "District of Louisiana" were secured for the sum of \$15,000,000. In the same year, 1802, Monroe was commissioned Minister Plenipotentiary to England, and whilst in the midst of important diplomatic negotiations, he was directed to proceed to Madrid, as Minister Extraordinary and Plenipotentiary, to adjust the boundaries of Louisiana. Failing to accomplish this, in 1806 he was recalled to England to act with Mr. Pinckney in further negotiation for the protection of American seamen, and to secure a treaty with Great Britain. The treaty was concluded, but not proving satisfactory to the President, it was sent back for revisal. All efforts to effect this failed, and Monroe returned to America.

The time for the election of President was now approaching, and Monroe's name was brought forward by a considerable body of the Republican party, but, for reasons satisfactory to himself, Monroe withdrew from the canvass. In 1810 he was again elected to the General Assembly of Virginia, and in 1811 was for a second time chosen the chief executive of the state. On the 25th November, 1811, he was selected by President Madison as Secretary of State, and was succeeded by George William Smith, Lieutenant-Governor, in the office of Governor. The position of Secretary of State he held until the close of President Madison's second term, with the exception of about six months (the last months of the second war with Great Britain), when he discharged the arduous duties of Secretary of War. He devoted his time and talents with great energy to the trusts confided to him, and infused order and efficiency into the departments under his charge. Finding the public credit much impaired at the time of the siege of New Orleans, he pledged his private means as subsidiary to the credit of the government, and enabled the city to successfully oppose the forces of the enemy.

At the end of Madison's term in 1817, James Monroe succeeded to the presidency of the United States, and in 1821 was re-elected without opposition. Although many important measures mark James Monroe's two terms as President of the United States, none will be more interesting to the student

of American history than the promulgation in his message of December 2, 1823, now generally known as the "Monroe Doctrine." He said :

"The occasion has been judged proper for asserting as a principle in which the rights of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers."

On March 4, 1825, Monroe retired from office and returned to his home at Oak Hill, in Loudoun County, Virginia. He was chosen a Justice of the Peace, and as such sat in the county court—a beautiful illustration of the untrammelled principles of this Republic, that a man should be deemed worthy to represent its interests at the courts of the great powers of the civilized world; that he should be twice selected as the chief executive of his own state, and twice chosen to preside over the councils of the nation; and yet, after these high honors, that he should feel it no falling off to sit as a modest Justice of the Peace, and in this narrower sphere hold out the scales of Right and Wrong.

In 1829 James Monroe became a member of the Virginia Convention to revise the old Constitution, and was chosen to preside over its meetings, but ill-health compelled him to resign this position and return to his home at Oak Hill. His wife died in 1830, and in the summer of that year he removed to the residence of his son-in-law, Samuel L. Gouverneur, in New York City, where, in a few short months, he finished his earthly course. His life had been a long consecration to the service of his country, and he had enjoyed in an unusual degree the gratitude of his countrymen; honors crowded upon him, and the influence of his large understanding, benevolence, integrity, and simplicity, won for the period of his greatest power, the enviable title of "The era of good feeling." With pomp and reverence his remains were removed to Richmond, Virginia, in 1858, and laid to rest in his native state, on July 5, in Hollywood cemetery.

# LXXXI.

## JOHN PAGE.

*Governor.*

December 1, 1802, to December 1, 1805.

JOHN PAGE, of "Rosewell," Gloucester County, Virginia, was descended from Colonel John Page, who emigrated from England to Virginia in 1650. This latter is said to have had distinguished family connections, and he soon became prominent in public affairs. He was a member of the Colonial Council, and died January 23, 1690, in the County of York. He was buried in Bruton Parish churchyard, Williamsburg, Virginia, and his wife, Alice Page, is interred by his side. Their son, Matthew, married Mary Mann, of Timberneck Bay, an heiress of large possessions, who bequeathed an immense estate to her son, Mann Page, the founder of "Rosewell." This celebrated mansion was the pride and admiration of successive generations, and justly so, from its reputed grandeur—but, in later years, it has been standing on Carter's Creek, in sight of York River, like a deserted English castle, an eloquent reminder of the transitory nature of earthly things. It has long been an accepted fact that the original "Rosewell" plantation was the ancient Werowcomico, where King Powhatan in earlier days held his chief residence.

Mann Page, the builder of the Rosewell house, was a man of wealth, his landed estates being in Prince William, Frederick, Spottsylvania, Essex, James City, Hanover, Gloucester, and King William. He had eight thousand acres in Frederick, called "Pageland," more than ten thousand in Prince William called "Pageland," also; four thousand five hundred in Spottsylvania, one thousand called "Pampatike" in King William, two thousand in Hanover,

near two thousand in James City, besides other lands. His great-grandson, John Page, sometime Governor of Virginia, was born April 17, 1743, at "Rosewell," an estate which he subsequently inherited. He was primarily educated by private tutors, and finally went to William and Mary College, an institution from which he graduated with distinction in 1763. He was appointed a visitor of this College in 1768, and in 1773 he represented it in the House of Burgesses. As a member of the Council in 1775, he incurred the displeasure of Lord Dunmore by advising him to give up the powder which the Governor had seized.

John Page displayed during the War of the Revolution an ardent attachment to the cause of the Colonies, was in 1776 one of the most conspicuous members of the Convention which formed the Constitution of Virginia, and was appointed one of the *first* Council under that Constitution.

During the struggle for freedom he contributed freely from his private fortune to the public cause, and served as Colonel of militia from Gloucester County in 1781. In 1789 he was elected one of the representatives in Congress from Virginia, and continued to act in that capacity until 1797. In 1794 he served as Lieutenant-Colonel of a regiment from Gloucester County in the suppression of the "Whiskey Insurrection" in Western Pennsylvania. On December 1, 1802, he became Governor of Virginia, filling the office ably and acceptably until December 1, 1805. In 1806 Governor Page was appointed by President Jefferson, United States Commissioner of Loans for Virginia, and held that position until his death in 1808.

Among some of the interesting events in the United States during Governor Page's administration, may be noted the Eastern Confederacy Plot of 1804. This disunion project originated among some disappointed politicians, and happily came to naught. An Eastern Confederacy embracing all of New England, with New York and New Jersey, was the scheme for which these ambitious spirits labored at that time, but in vain. The Union, cemented in blood, was too strong for such disloyal sons to dissever.

Growing out of the turbulent condition of political feeling at this period, occurred a tragedy which even at this distant day cannot be recalled without the deepest pain. The duel between Aaron Burr and Alexander Hamilton, which resulted in the death of the latter, cast a gloom over the whole country. To his friends and followers Hamilton's death seemed a martyrdom, and the unhappy author of this national calamity was pursued as a willful murderer; indictments were found against him in New York and New Jersey, and such was the public feeling that he had to take temporary refuge in Georgia.

But as an offset to these reminiscences may be recounted the cession of Louisiana by Spain to France in 1802, and the purchase of that valuable land by the United States in 1803. This year also witnessed the cession of an extended country by the friendly tribe of Kaskaskia Indians to the United States. This territory lay along the Mississippi, from the mouth of the Illinois to and up the Ohio, and is estimated as "among the most fertile within our limits." By a treaty with the Indians at Fort Wayne, also, nearly two million acres of land were granted to the United States.

So that, during Governor Page's administration, important acquisitions of territory were made to the whole country; the United States set the first example to the world of obliging the Barbary powers to respect her flag by the force of arms, instead of a disgraceful tribute, and at home and abroad the power of the infant Republic was being sensibly felt.

Virginia participated in the general prosperity, and peace and plenty reigned within her borders.

Governor Page closed his administration as Governor December 1, 1805, after two successive annual re-elections, when, under the provisions of the State Constitution, not being eligible again until after an interval of four years, he was succeeded by Mr. William H. Cabell.

Governor Page was twice married and left a large family; among his descendants may be found some of the most honored names in the Commonwealth.

He was distinguished in his walk among men for his talents, purity of morals, and patriotism. In private, his domestic character was of peculiar simplicity and beauty, and such were his attainments as a theologian and his zeal as a churchman, that many of his friends had urged him to take Orders, with a view to making him First Bishop of Virginia.

He died at Richmond, Virginia, October 11, 1808, and was buried in St. John's churchyard, where a handsome monument marks his grave.

The County of Page, in Virginia, formed from Rockingham and Shenandoah Counties in 1831, was named in honor of Governor Page.

## LXXXII.

WILLIAM H. CABELL.

*Governor.*

December 1, 1805, to December 1, 1808.

WILLIAM H. CABELL, born December 16, 1772, at "Boston Hill," Cumberland County, Virginia, was the son of Nicholas Cabell, and grandson of Dr. William Cabell, a surgeon in the British Navy, who settled in Virginia in 1724. After enjoying the best educational advantages, he graduated in July, 1793, at William and Mary College, and then pursued the study of law in Richmond. He was elected to the General Assembly in 1796, from Amherst County, and was a member of that body in 1798, 1802, 1803, 1804, 1805, and on December 1, 1805, was elected Governor of Virginia, which office he filled for three years.

An event which occurred in the administration of Governor Cabell has served to give that period an almost romantic interest. This was the trial of Aaron Burr, charged with treason against the government in an alleged design to found an empire in the western part of America. The trial was remarkable for the association in it of so many distinguished characters. It was a bitter contest, but, despite all the influence brought to bear, Burr escaped conviction. The verdict was, "Aaron Burr is not proved to be guilty under the indictment by any evidence submitted to us." His opponents charged that he was a misguided, political intriguer, who had checked the soaring greatness of Hamilton and quenched that imperial soul; that he had entered a paradise and filled the minds of Blennerhassett and his wife with dreams that chased the sweet sunshine of domestic felicity from their home, and made them wanderers and beggars upon earth; that he was a



wily schemer, who, after serving his country in many important and honorable positions, had now laid his sacrilegious hands upon the pillars of its Constitution, which he had so often sworn to support—and these heated opponents claimed that such a man should not pass again into the outer world, a free, unfettered citizen.

But his freedom, though legally won, was only in the seeming. His escape from conviction had been so narrow and his fears of further prosecution were so great, that, after remaining concealed for several weeks among his friends, he sailed for Europe under the name of G. H. Edwards. He remained in exile and poverty for several years, and finally, returning to America, died in obscurity and neglect in New York City.

So ended the life of Aaron Burr—a life once full of golden promise. Endowed by nature with ability as a soldier and a statesman, his distinguished talents had carried him on the wave of popular favor *almost* to the chief magistracy of the Nation, a position which he failed to reach by only *one* vote. He served as Vice-President of the United States, and even while his love of country seemed above suspicion, Ambition led him, like Lucifer, to fall, and doomed him, like Lucifer, “Never to hope again.”

Upon the expiration of Governor Cabell’s term as chief executive of Virginia, he was elected by the Legislature a Judge of the General Court, December 15, 1808, and in April, 1811, he was elected a Judge of the Court of Appeals. In this last office he acted until 1851, when he retired from the bench. He died at Richmond, Virginia, January 12, 1853, greatly beloved and widely lamented. The following extract from the resolutions of respect to his memory, by the Court of Appeals and the bar of Virginia, will testify to the unusual worth of this noble man.

“Resolved, That we cherish, and shall ever retain, a grateful remembrance of the signal excellence of the Honorable William H. Cabell, as well in his private as in his public life. There were no bounds to the esteem which he deserved and enjoyed. Of conspicuous ability, learning

and diligence, there combined therewith a simplicity, uprightness and courtesy, which left nothing to be supplied to inspire and confirm confidence and respect. It was as natural to love as honor him; and both loved and honored was he by all who had an opportunity of observing his unwearied benignity or his conduct as a Judge. In that capacity, wherein he labored for forty years in our Supreme Court of Appeals, having previously served the State as Governor and Circuit Judge, such was his uniform gentleness, application and ability; so impartial, patient and just was he; of such remarkable clearness of perception and perspicuity, precision and force in stating his convictions, that he was regarded with warmer feelings than those of merely official deference. To him is due much of the credit which may be claimed for our judicial system and its literature. It was an occasion of profound regret, when his infirmities of age, about two years since, required him to retire from the bench, and again are we reminded, by his death, of the irreparable loss sustained by the public and the profession."

The County of Cabell, formed in 1809 from Kanawha County, was named in honor of Governor Cabell.

# LXXXIII.

## JOHN TYLER.

*Governor.*

December 1, 1808, to January 11, 1811.

THE ancestry of John Tyler is said to date from the Norman Conquest, and he also claimed descent from the brave Wat Tyler, so celebrated in English history. His immediate progenitor, Henry Tyler, first appears in the records of Virginia, January 7, 1652, as a patentee of lands in James City County, and in 1699 the City of Williamsburg was laid off and established upon his land. Henry Tyler died in 1710, leaving two sons, Francis and John, the latter being the grandfather of Governor Tyler.

John Tyler, the subject of this sketch, was born February 28, 1747. He was educated at William and Mary College, which institution he entered at eight years of age, and having there graduated, he studied law for five years under the guidance of Robert Carter Nicholas. Being duly licensed, he practiced his profession for a time in James City, but in 1772 removed to Charles City County. In 1776, he married Mary Armistead, daughter of Robert Armistead.

John Tyler was the friend and associate of Thomas Jefferson, George Wythe, and Patrick Henry, and his soul burned with the same patriotic fires which kindled theirs. He was appointed by the Virginia Convention, July 5, 1776, one of the Judges of the High Court of Admiralty, and in 1778 he represented Charles City County in the House of Delegates, of which body he was Speaker from 1781 to 1786. In 1780 he was appointed a member of the Council of State; in 1786 was again appointed a Judge of the Court of Admiralty, and was consequently a member of the first Court of Appeals of the State. He was appointed a Judge of the General Court

in 1788, and served in this capacity until December 1, 1808, when he was elected Governor of Virginia.

This year of 1808 was notable from the fact that the importation of Africans into the United States ceased by law on the 1st of January—a circumstance to be remembered, as is every step that has been taken by the government upon this interesting subject, so vitally interwoven with the political, industrial, and domestic life of one section of the country.

As an evidence of the wonderful advance of the United States in growth and prosperity, it is stated that in 1810 the number of newspapers printed in the Union was estimated at upwards of twenty-two million, and the number of mills for manufacturing paper at about 180. These figures are given upon unquestionable authority and are an astonishing proof of the vigorous life of the new republic.

Governor Tyler's administration as chief executive of Virginia was highly satisfactory, and in public and private he won the warm regard of his associates. He was simple in his manners, distinguished for the uprightness and fidelity with which he discharged his official duties, and enjoyed in an uncommon degree the esteem and confidence of his fellow-citizens.

Upon the expiration of his term as Governor, John Tyler was called by the appointment of Mr. Madison to the Judgeship of the District Court of the United States for Virginia, which office he held until his death, at his seat, "Greenway," in Charles City County, January 6, 1813.

The County of Tyler, formed in 1814, from Ohio County, perpetuates the memory of Governor Tyler, which is otherwise gratefully cherished in the annals of the Old Dominion.

# LXXXIV.

## JAMES MONROE.

### *Governor.*

January 11, 1811, to November 25, 1811.

JAMES MONROE became Governor of Virginia for the second time, in 1811, when he was in the same year called to a seat as Secretary of State in the Cabinet of President Madison. An extended sketch of President Monroe's life having been already given, we will only allude to the period when he was for the second time chief executive in his native state.

The country was at this time sweeping rapidly into a war with Great Britain, the extent, duration, and character of whose injuries to American rights rendered an appeal to arms the only means of redress.

The report of the Committee on Foreign Relations, made November 29, 1811, will explain the grievances of the country, which could only be settled by a resort to "the extreme measure."

After recounting various wrongs and offences on the part of England, the report continues:

"To sum up, in a word, the great cause of complaint against Great Britain, your committee need only say, that the United States, as a sovereign and independent power, claim the right to use the ocean, which is the common and acknowledged highway of nations, for the purposes of transporting, in their own vessels, the products of their own soils and the acquisitions of their own industry to a market in the ports of friendly nations, and to bring home, in return, such articles as their necessities or convenience may require, always regarding the rights of belligerents as defined by the established law of nations. Great Britain, in defiance of this incontestable right, captures every American vessel bound to or returning from a port where her commerce is not favored; enslaves our seamen, and, in spite of our remonstrances, perseveres in these aggres-

sions. To wrongs so daring in character and so disgraceful in their execution, it is impossible that the people of the United States should remain indifferent. We must now tamely and quietly submit, or we must resist by those means which God has placed within our reach. Your committee would not cast a shade over the American name by the expression of a doubt which branch of this alternative will be embraced. The occasion is now presented when the national character, misunderstood and traduced for a time by foreign and domestic enemies, should be vindicated. If we have not rushed to the field of battle like the nations who are led by the mad ambition of a single chief in the avarice of a corrupted court, it has not proceeded from the fear of war, but from our love of justice and humanity. That proud spirit of liberty and independence which sustained our fathers in the successful assertion of rights against foreign aggression, is not yet sunk. The patriotic fire of the Revolution still lives in the American breast with a holy and unextinguishable flame, and will conduct this nation to those high destinies which are not less the reward of dignified moderation than of exalted valor. But, we have borne with injury until forbearance has ceased to be a virtue. The sovereignty and independence of these states, purchased and sanctified by the blood of our fathers, from whom we received them, not for ourselves only, but as the inheritance of our posterity, are deliberately and systematically violated. And the period has arrived when, in the opinion of your committee, it is the sacred duty of Congress to call forth the patriotism and resources of the country. By the aid of these, and with the blessing of God, we confidently trust we shall be able to procure that redress which has been sought for by justice, by remonstrance, and forbearance, in vain."

The several state Legislatures began to place the militia on a war footing, and Virginia, with the rest, pledged her support to the general government, *whatever* means of resistance it should adopt.

It was in such an hour of anxiety that James Monroe was called by the President of the United States to sit in solemn council upon the welfare of the nation. Yielding his high position as Governor of Virginia, he acknowledged the superior claim of obligation to his whole country, and on November 25, 1811, became Secretary of State in the Cabinet of President Madison. This office he held until the close of President Madison's second term, with the exception of about six months, when he discharged the more arduous duties of Secretary of the War Department.

A few years later the Old Dominion, which had already

supplied the presidential chair for twenty-four years out of twenty-eight, again sent another honored son to fill that lofty station. In 1817, James Monroe, whose frankness, generosity, patient industry, and unsullied honor supplemented his acknowledged ability, was elected fifth President of the United States, and in 1821 he was re-elected without opposition.

Monroe County, now in West Virginia, formed in 1799 from Greenbrier County, was named in honor of Governor Monroe.

# LXXXV.

GEORGE WILLIAM SMITH.

*Lieutenant-Governor*

*and*

*Acting Governor.*

November 25, 1811, to December 26, 1811.

GEORGE WILLIAM SMITH is believed to have been descended from Major Lawrence Smith, of early colonial distinction, while his immediate progenitor was Merewether Smith, who was born about the year 1730, at the family seat, "Bathurst," in Essex County, Virginia.

Merewether Smith was an ardent patriot, and figured as such, from 1766 until 1790, in many important stations during that eventful period. He married first in 1760, Alice, daughter of Philip Lee (third in descent from the emigrant, Richard Lee), and their son, George William Smith, was born at "Bathurst" in 1762. This latter, the subject of the present sketch, was married February 7, 1793, to Sarah, daughter of Colonel Richard Adams, one of the most patriotic and influential citizens of the City of Richmond.

George William Smith represented the County of Essex in the House of Delegates in 1794, after which he entered upon a lucrative practice of law in Richmond, taking a high rank in his profession. He was elected from this city to the Legislature, from 1802 until 1808, and in 1810 was appointed a member of the State Council. As senior member of that body, or Lieutenant-Governor, upon the resignation of Governor James Monroe, he succeeded him, November 25, 1811, as the chief executive of the state.

But Governor Smith's term of office was short, and his career painfully ended by the memorable calamity of the



burning of the Richmond theatre. This harrowing event took place on Thursday night, December 26, 1811. The theatre was crowded with the young, the gay, the fair, together with the honored and the influential of the state, and the terrible ending of the evening shrouded Richmond in mourning. The Governor had reached a place of safety outside the burning building, but returning to rescue his little son, who had been separated from him by the throng, he fell a victim to the sacrificial passion of a parent's love. Seventy persons are known to have perished in this horrible holocaust, but it was thought that many more were reckoned among the fated in that ill-starred audience.

On the 30th of December intelligence of this tragedy was communicated to the Senate of the United States, and a resolution was adopted that the Senators should wear crape on the left arm for a month. A similar resolution was adopted in the House of Representatives.

Monumental (Episcopal) Church was erected on the site of the theatre in 1812, and the remains of the unfortunate victims are buried in the portico of the edifice, beneath a marble monument inscribed with their names.

# LXXXVI.

## PEYTON RANDOLPH.

*Senior Member of Council of State,  
and  
Acting Governor.*

December 26, 1811, to January 3, 1812.

UPON the untimely death of Governor George William Smith, the duties of the executive chair fell for a season upon Peyton Randolph, then the senior member of the Council of State.

Peyton Randolph was the son of Governor Edmund Randolph, and inherited the genius of a distinguished ancestry. He graduated at William and Mary College in 1798, and soon took an acknowledged prominence in his chosen profession of law.

He presided over the Councils of Virginia for only a brief period, as on January 3, 1812, James Barbour, of Orange County, was chosen by the General Assembly as Governor.

In 1821 Peyton Randolph was selected as the Reporter of the Supreme Court of Virginia, and his labors in this department are embraced in six volumes, entitled, "Report of Cases Argued and Determined in the Court of Appeals of Virginia, 1821-1828."

But in the midst of increasing usefulness and brilliant prospects, Peyton Randolph's career was terminated in the prime of manhood. A victim to pulmonary disease, he passed too soon from the arena he had adorned, widely lamented by many to whom his virtues and his talents had endeared him.

His contribution to the Law Reports of his native state, is a permanent memorial of his ability, and constitutes an important part of the legal literature of Virginia.

# LXXXVII.

JAMES BARBOUR.

*Governor.*

January 3, 1812, to December 1, 1814.

GOVERNOR JAMES BARBOUR was the son of Thomas Barbour, who had been a member of the House of Burgesses in 1769, when it issued the first protest against the Stamp Act, and was also, in 1775, a member of the "Committee of Public Safety" of Orange County. The father of Thomas was James Barbour, who appears as a grantee of lands in St. George's parish, Spottsylvania County, June 26, 1731, and again in 1733, of lands in St. Mark's parish in the same county. He was one of the first vestrymen of this latter parish at its organization at Germanna in 1731, and served in that office until the division of the parish in 1740, which threw him into the new parish of St. Thomas, in Orange County, in which division he lived. So that, James Barbour, his grandson, and the subject of this notice, was born in Orange County, June 10, 1775. While very young he served as a Deputy-Sheriff, and at the age of nineteen was admitted to the bar. His means of education had not been ample, but for a time he enjoyed the instruction of James Waddell, the blind preacher. Perhaps the seed sown in good ground by this "mute, inglorious Milton" may have blossomed into the virtues and talents which adorned the character of James Barbour.

At this point it may be a pardonable digression to lay before the reader the beautiful tribute paid to James Waddell, by William Wirt, one of Virginia's most gifted sons:

"It was one Sunday, as I travelled through the County of Orange, that my eye was caught by a cluster of horses, tied near a ruinous, old, wooden house, in the forest, not far from the roadside. Having frequently seen

such objects before, in travelling through these states, I had no difficulty in understanding that this was a place of religious worship.

"Devotion alone should have stopped me to join in the duties of the congregation, but I must confess that curiosity to hear the preacher of such a wilderness, was not the least of my motives. On entering I was struck with his preternatural appearance; he was a tall and very spare old man; his head, which was covered with a white linen cap, his shrivelled hands, and his voice, were all shaking under the influence of a palsy; and a few moments ascertained to me that he was perfectly blind.

"The first emotions which touched my breast were those of mingled pity and veneration. But ah! sacred God! how soon were all my feelings changed! The lips of Plato were never more worthy of a prognostic swarm of bees, than were the lips of this holy man! It was a day of the administration of the sacrament; and his subject, of course, was the passion of our Saviour. I had heard the subject handled a thousand times; I had thought it exhausted long ago. Little did I suppose, that in the wild woods of America, I was to meet with a man whose eloquence would give to this topic a new and more sublime pathos than I had ever before witnessed.

"As he descended from the pulpit, to distribute the mystic symbols, there was a peculiar, a more than human solemnity in his air and manner, which made my blood run cold, and my whole frame shiver.

"He then drew a picture of the sufferings of our Saviour; his trial before Pilate, his ascent up Calvary, his crucifixion, and his death. I knew the whole history, but never, until then, had I heard the circumstances so selected, so arranged, so colored! It was all new; and I seemed to have heard it for the first time in my life. His enunciation was so deliberate, that his voice trembled on every syllable; and every heart in the assembly trembled in unison. His peculiar phrases had that force of description, that the original scene appeared to be, at that moment, acting before our eyes. We saw the very faces of the Jews; the staring, frightful distortions of malice and rage. We saw the buffet; my soul kindled with a flame of indignation, and my hands were involuntarily and convulsively clinched.

"But when he came to touch on the patience, the forgiving meekness of our Saviour; when he drew, to the life, his blessed eyes streaming in tears to heaven; his voice breathing to God a soft and gentle prayer of pardon on his enemies, 'Father, forgive them, for they know not what they do'—the voice of the preacher, which had all along faltered, grew fainter and fainter, until his utterance being entirely obstructed by the force of his feelings, he raised his handkerchief to his eyes, and burst into a loud and irrepressible flood of grief. The effect is inconceivable. The whole house resounded with the mingled groans, and sobs, and shrieks of the congregation. It was some time before the tumult had subsided so far as to permit him to proceed. Indeed, judging by the usual, but fallacious

standard of my own weakness, I began to be very uneasy for the situation of the preacher. For I could not conceive how he would be able to let his audience down from the height to which he had wound them, without impairing the solemnity and dignity of his subject, or perhaps shocking them by the abruptness of the fall. But no; the descent was as beautiful and sublime as the elevation had been rapid and enthusiastic. The first sentence with which he broke the awful silence, was a quotation from Rousseau, 'Socrates died like a philosopher, but Jesus Christ like a God.'

"I despair of giving you any idea of the effect produced by this short sentence, unless you could perfectly conceive the whole manner of the man, as well as the peculiar crisis in the discourse. Never before did I completely understand what Demosthenes meant by laying such stress on *delivery*. You are to bring before you the venerable figure of the preacher; his blindness, constantly recalling to your recollection old Homer, Ossian, and Milton, and associating with his performance the melancholy grandeur of their geniuses; you are to imagine that you hear his slow, solemn, well-accented enunciation, and his voice of affecting, trembling melody; you are to remember the pitch of passion and enthusiasm to which the congregation were raised; and then, the few minutes of portentous, death-like silence which reigned throughout the house; the preacher removing his white handkerchief from his aged face (even yet wet from the recent torrent of his tears), and slowly stretching forth the palsied hand which holds it, begins the sentence, 'Socrates died like a philosopher'—then pausing, raising his other hand, pressing them both clasped together with warmth and energy to his breast, lifting his 'sightless balls' to heaven, and pouring his whole soul into his tremulous voice—'but Jesus Christ—like a God!' If he had been indeed and in truth an angel of light, the effect could scarcely have been more divine.

"Whatever I had been able to conceive of the sublimity of Massillon, or the force of Bourdaloue, had fallen far short of the power which I felt from the delivery of this simple sentence. The blood, which just before had rushed in a hurricane upon my brain, and in the violence and agony of my feelings had held my whole system in suspense, now ran back into my heart, with a sensation which I cannot describe—a kind of shuddering, delicious horror. The paroxysm of blended pity and indignation, to which I had been transported, subsided into the deepest self-abasement, humility, and adoration. I had just been lacerated and dissolved by sympathy, for our Saviour as a fellow-creature; but now, with fear and trembling, I adored him as 'a God.'

"If this description give you the impression that this incomparable minister had anything of shallow, theatrical trick in his manner, it does him great injustice. I have never seen, in any other orator, such a union of simplicity and majesty. He has not a gesture, an attitude, or an accent, to which he does not seem forced by the sentiment which he is expressing. His mind is too serious, too earnest, too solicitous, and, at the same time,

too dignified, to stoop to artifice. Although as far removed from ostentation as a man can be, yet it is clear from the train, the style, and substance of his thoughts, that he is not only a very polite scholar, but a man of extensive and profound erudition. \* \* \* \* \*

"This man has been before my imagination almost ever since. A thousand times, as I rode along, I dropped the reins of my bridle, stretched forth my hand and tried to imitate his quotation from Rousseau; a thousand times I abandoned the attempt in despair, and felt persuaded that his peculiar manner and power arose from an energy of soul, which nature could give, but which no human being could justly copy. In short, he seems to be altogether a being of a former age, or of a totally different nature from the rest of men."

James Barbour was a member of the Legislature of Virginia from 1796 to 1812, and while in the General Assembly was elected by it, January 3, 1812, the Governor of Virginia. His administration was specially patriotic and important, occurring as it did, during the second war with Great Britain, a period calculated to develop the nerve and ability of men in authority, and to test the strength of leaders in civil and military affairs. James Barbour is said to have pledged his personal means to sustain the credit of his state, and by his vigilant and able conduct of affairs nobly maintained the honor of Virginia, who acted well her part in this second struggle with Old England.

In 1815 Mr. Barbour was elected by the Virginia Assembly to the United States Senate, where he served continuously for ten years. In this body he took a conspicuous position, and was chairman of some most important committees. In 1825 he became a member of the Cabinet of President John Quincy Adams, and served as Secretary of War until 1828, when he was appointed Envoy Extraordinary and Minister Plenipotentiary to Great Britain. His ability, experience, and great natural gifts of manner and personal magnetism, rendered him peculiarly fitted for this responsible position. In 1829 he returned to America and retired to the repose of private life, not, however, without taking an active interest in the political affairs of the country. In the Convention for the nomination of President, held at Harrisburg, Pennsylvania, December, 1839, Mr. Barbour presided, and was conspicuous

in his advocacy of the claims of General William Henry Harrison, and prominent in the campaign which resulted in Harrison's election.

On October 29, 1792, he married Lucy, daughter of Benjamin Johnson, of Orange County, Virginia, and has left distinguished descendants.

Mr. Barbour died at his seat, "Barboursville," on June 7, 1842, and desired to have only the following words inscribed upon his tomb :

"Here lies James Barbour  
Originator of  
The Literary Fund  
of Virginia."

Barbour County, now in West Virginia, formed in 1843 from the Counties of Harrison, Lewis, and Randolph, also perpetuates his name and memory.

# LXXXVIII.

## WILSON CARY NICHOLAS.

*Governor.*

December 1, 1814, to December 1, 1816.

THE FOUNDER of the Nicholas family in Virginia was Dr. George Nicholas, of Lancaster County, England, a surgeon in the British Navy, who settled in the Colony at the beginning of the eighteenth century, and married about 1722, Elizabeth, widow of Major Nathaniel Burwell, and daughter of Robert, known as "King Carter." Their eldest son, Robert Carter Nicholas, married in 1754, Anne, daughter of Colonel Wilson Cary, and their third son, Wilson Cary Nicholas, is the subject of this sketch.

He was born January 31, 1761, in Williamsburg, Virginia, and was educated at William and Mary College, which institution he left at the age of eighteen years, to enter the army. His ability as a soldier met with deserved recognition, and he was the commander of Washington's life-guard until it was disbanded in 1783, when he settled in Albemarle County, on his estate called "Warren." In the same year he married Margaret, daughter of John Smith, of Baltimore, Maryland.

The public services of Mr. Nicholas began in 1784, as the representative of Albemarle County in the House of Delegates of Virginia. At the close of the session of 1785, he returned to private life, from which retirement he was called to represent the County of Albemarle in the State Convention of 1788, where he was conspicuous in his advocacy of the adoption of the Constitution. He again served in the House of Delegates in 1789 and 1790, and from 1794 to 1799, when he was elected to the United States Senate. In this latter body he took a distinguished position as a Republican



leader, and at this highly important period, zealously supported all the measures projected by his party for the good of the country. Seeing most of his wishes in this respect accomplished, he resigned his seat in the Senate in 1804, and turned his attention to his own neglected private affairs. In 1806, he declined a special mission to France, but, in 1807 he was elected to Congress, and again in 1809, was re-elected to the same position.

During this exciting and momentous period he took the highly patriotic stand of a determined and, if need be, armed resistance to the policy of France and Great Britain. In December, 1814, Mr. Nicholas was elected Governor of Virginia, and although the State at that time was passing through the great ordeal of a foreign war under peculiarly trying circumstances, he did not hesitate to accept the position with its unusual weight of care and anxiety.

The announcement of peace in the following spring lightened his responsibilities, and he at once turned his energies to the promotion of matters of internal improvement. In every situation, Governor Nicholas showed himself devoted to the honor and welfare of his native state, combining with his zeal an intimate knowledge of her capacities and her needs.

In the spring of 1819, retiring permanently from public life, he returned to his country seat, "Warren," but his health had been seriously impaired by the fatigue and anxiety incident to many positions of responsibility, and his useful life was drawing near its close.

Being advised to try the benefits of a journey on horseback, he set out and reached "Tufton," the residence of his son-in-law, Thomas Jefferson Randolph. Here his strength failed, and he expired suddenly on October 10, 1820. Popular and successful, his life was crowned with many honors, and he has left the memory of valuable services rendered both to his state and to his country.

# LXXXIX.

JAMES P. PRESTON.

*Governor.*

December 1, 1816, to December 1, 1819.

THE Preston family of Virginia was originally from Londonderry, Ireland, where John Preston, its founder in the New World, married Elizabeth Patton, and emigrated to Virginia in the summer of 1735. He settled in that portion of Orange County from which Augusta County was erected in 1738. Elizabeth Patton was the sister of Colonel Patton, who was distinguished in the early annals of the Colony as a man of property, enterprise, and influence. He, like many of the pioneer settlers, fell a victim to Indian warfare and was killed at Smithfield, Virginia, in 1753.

John Preston first settled at "Spring Hill," but in 1743 he purchased a tract of land near Staunton, and died soon after. William, his third child, married Susanna, daughter of Francis Smith, of Hanover County, Virginia, a member of the House of Burgesses and a prominent patriot in the American Revolution.

The eighth child of William and Susanna Preston, viz., James Patton Preston, is the subject of this sketch. He was born at Smithfield, June 21, 1774, and enjoyed early advantages of education, being a student at William and Mary College from 1790-1795. In 1802 he was elected to the State Senate of Virginia, was appointed Lieutenant-Colonel of the 12th Infantry, United States Army, March 19, 1812, and for gallantry was promoted, August 15, 1813, to the rank of Colonel and assigned to the command of the 23d Regiment of Infantry. On November 11, 1813, he was severely wounded in the thigh, in the battle of Chrystler's Field, from which casualty he became a cripple for life. It is a fact

worthy of notice, that when in 1848 Queen Victoria issued medals to the surviving soldiers of battles from 1793 to 1814, creating a sort of Legion of Honor, that "Chrystler's Farm" found a veteran upon whose breast this token of the hard-fought field was hung. But Virginia did not wait to crown *her* gallant son with tardy recognition of his valor. Upon the conclusion of peace with Great Britain, James Patton Preston, in remembrance of his patriotic services and as a tribute to his known ability, was elected by the General Assembly, Governor of his native state. He served in this capacity until December 1, 1819. It is a matter of interest to note, that in the last year of Governor Preston's incumbency, the law was passed establishing the University of Virginia in Albemarle County, and also that in 1819 a revision of the Code of Virginia was made.

Subsequent to his gubernatorial service, Mr. Preston was for several years postmaster of the City of Richmond, after which he retired to his estate, "Smithfield," in Montgomery County, where he died May 4, 1843. He married Ann Taylor, daughter of Robert Taylor, of Norfolk, and has left distinguished descendants; in fact, it is claimed that few American families have numbered so many honored representatives as the Preston family of Virginia, with its collateral branches and alliances.

The County of Preston, now in West Virginia, formed in 1818 from Monongalia County, perpetuates this eminent name.

## XC.

### THOMAS MANN RANDOLPH.

*Governor.*

December 1, 1819, to December 1, 1822.

THOMAS MANN RANDOLPH was the eldest son of Thomas Mann and Anne (Cary) Randolph. He was born at "Tuckahoe," the family seat, in Goochland County, Virginia, in the year 1768, and was destined to become a distinguished member of an already prominent family, founded in Virginia by William Randolph of "Turkey Island."

Thomas Mann Randolph, having enjoyed the advantages of a course of instruction at William and Mary College, had the further benefit of completing his education at the University of Edinburgh, so that he entered upon the grave duties of life with an unusual preparation for its responsibilities. He married Martha Jefferson, daughter of Thomas Jefferson, at Monticello, February 23, 1790, and settled first at "Varina," an estate long in possession of the Randolph family, in Henrico County, a few miles below Richmond. He served as a member of the Virginia Senate in 1793 and 1794, but removed soon after this period to "Edge Hill," Albemarle County, where he continued to reside until 1808, when his family became domesticated with Mr. Jefferson at Monticello.

Mr. Randolph represented Virginia in the United States Congress from 1803 to 1807, when he withdrew for a time from public life and devoted himself to agricultural pursuits.

During the war of 1812, Mr. Randolph's ardent patriotism was conspicuous. He raised a command and gallantly participated in the engagements of the sea-board, and was soon promoted to the rank of Lieutenant-Colonel and placed in command of the 1st Light Corps. On the 20th March, 1813, he became Colonel of the 20th United States Infantry, and

performed valuable service on the Canada line. But his highest distinction was yet to come, when on December 1, 1819, he was chosen by the General Assembly as Governor of Virginia. This office he filled by annual re-election until December 1, 1822, when he returned to private pursuits. He died at "Monticello," June 20, 1828, aged sixty years.

Among the matters of general interest occurring during the years 1819 to 1822, may be noted the admission of Alabama territory, as a state, into the Union, and the erection of Arkansas territory into a territorial government, by an act of Congress. During the year 1819 the Supreme Court of the United States decided a case of great importance to the literary and charitable institutions of our country. Its decision was :

"That the Charter granted by the British Crown to the Trustees of Dartmouth College, in 1769, is a contract within the meaning of that clause of the Constitution of the United States which declares that no state shall make any law impairing the obligation of contracts; That the Charter was not dissolved by the Revolution; and, That an act of the State Legislature of New Hampshire, altering the Charter without the consent of the Corporation, in a material respect, is an act impairing the obligation of the Charter, and is unconstitutional and void."

The year 1820 completed the second century since the settlement of New England, and the commemoration of the landing of the Pilgrim Fathers was celebrated at Plymouth, December 22, attended by a vast concourse of people. Daniel Webster delivered an address with thrilling effect.

"By ascending," said the orator, "to an association with our ancestors; by contemplating their example, and studying their character; by partaking their sentiments, and imbibing their spirit; by accompanying them in their toils, by sympathizing in their sufferings, and rejoicing in their successes and their triumphs, we mingle our own existence with theirs and seem to belong to their age. We become their contemporaries, live the lives which they lived, endure what they endured, and partake in the rewards which they enjoyed."

By such fervid words can Americans of a later age gather strength in the contemplation of the history of their great, glorious, and free country.

The year 1821 witnessed the inauguration of James Monroe, of Virginia, as President of the United States for a second term. Referring to the progress of the country, he said :

"Twenty-five years ago, the river Mississippi was shut up, and our Western brethren had no outlet for their commerce. What has been the progress since that time? The river has not only become the property of the United States from its source to the ocean, with all its tributary streams (with the exception of the upper part of the Red River only), but, Louisiana, with a fair and liberal boundary, on the western side, and the Floridas on the eastern, have been ceded to us. The United States now enjoy the complete and uninterrupted sovereignty over the whole territory from St. Croix to the Sabine."

In this year of 1821 Missouri was admitted as a state into the Union, being the eleventh state annexed to the first "Thirteen Confederate States" since the Declaration of Independence.

The year of 1822 is memorable as the date of the incorporation of the City of Boston, a place whose historic interest reaches as far back as 1630; whose power today as a commercial and political centre in a great country is unquestioned, and whose influence as a literary capital stands unrivalled in the land.

In reviewing thus briefly these matters of general interest occurring in the United States during Thomas Mann Randolph's administration in Virginia, we behold the Old Dominion still powerful in the councils of the nation, and see one of her chosen sons occupying the highest office in the gift of the American people. Perhaps no Act passed by the General Assembly of Virginia (when Governor Randolph was the chief executive of the state), is of more present interest than the following :

"AN ACT ceding to the United States the lands on Old Point Comfort, and the shoal called the Rip Raps.

"Passed March 1st, 1821.

"Whereas it is shewn to the present General Assembly, that the government of the United States is solicitous that certain lands at Old Point Comfort, and at the shoal called the Rip Raps, should be, with the right of property and entire jurisdiction thereon, vested in the said United States for the purpose of fortification, and other objects of national defence,

"1. *Be it enacted by the General Assembly*, That it shall be lawful and proper for the governor of this Commonwealth, by conveyance or deeds in writing under his hand and the seal of the state, to transfer, assign and make over unto the said United States the right of property and title, as well as all the jurisdiction which this Commonwealth possesses over the lands and shoal at Old Point Comfort and the Rip Raps; *provided*, the cession at Old Point Comfort shall not exceed two hundred and fifty acres, and the cession of the shoal at the Rip Raps shall not exceed fifteen acres; and provided also, that the said cession shall not be construed or taken, so as to prevent the officers of this state from executing any process, or discharging any other legal functions, within the jurisdiction or territory herein directed to be ceded, nor to prevent, abolish or restrain the right and privilege of fishery hitherto enjoyed and used by the citizens of this Commonwealth within the limits aforesaid; and provided further, that nothing in the deed of conveyance, required by the first section of this act, shall authorize the discontinuance of the present road to the Fort, or in any manner prevent the pilots from erecting such marks and beacons as may be deemed necessary.

"2. *And be it further enacted*, That, should the said United States at any time abandon the said lands and shoal, or appropriate them to any other purposes than those indicated in the preamble to this act, that, then and in that case, the same shall revert to, and revest in this Commonwealth.

"3. This act shall commence and be in force from and after the passing thereof."

Thus, was this historic portion of Virginia territory destined to become the seat of "Fortress Monroe," one of the strongest citadels of national defense in the United States of America.

# XCI.

## JAMES PLEASANTS, JR.

*Governor.*

December 1, 1822, to December 1, 1825.

JOHN PLEASANTS, the founder of the Pleasants family in Virginia, was a native of Norwich, England, from which point he emigrated to the Colony of Virginia, settling in Henrico County, in 1668. Here he received large grants of land, and established his name as among the earliest and most respected of British pioneers. James Pleasants, Jr., the subject of this sketch, was one of his most distinguished descendants. He was the son of James and Anne Pleasants, and was born in 1769. After receiving a good education he embraced the profession of law, and entered upon its practice with a zeal and ability that were attended with marked success. The long periods for which he held the public offices to which he was subsequently chosen, are the best evidences of his popularity. In 1796 he was elected to represent Goochland County in the Virginia House of Delegates, and in 1803 he was chosen Clerk of that body. For seven years he filled this position most acceptably, when he was elected to the United States House of Representatives, and here he remained until 1819, in faithful and efficient service. On December 1, 1822, he was chosen by the General Assembly the Governor of Virginia, and occupied that station by annual re-election until by the Constitution he was no longer eligible.

He subsequently served as a member of the important State Constitutional Convention of 1829-1830.

Although twice appointed to judicial position, he declined the honors offered him and retired to Goochland County, where on November 9, 1836, he closed a well-spent life. He



died universally regretted and greatly esteemed for his many public and private virtues.

Governor Pleasants married Susanna Rose, and their worthy descendants are widely connected with prominent families in the Old Dominion.

## XCII.

### JOHN TYLER.

#### *Governor.*

December 1, 1825, to March, 1827.

A SECOND time in the history of the Commonwealth of Virginia, is a citizen bearing the honored name of John Tyler called to the highest office within her gift. John Tyler, made Governor in 1825, was the son of Governor John and Mary (Armistead) Tyler. He was born at "Greenway," his father's seat, in Charles City County, Virginia, March 29, 1790. Early in life, he exhibited a taste for books, and entering William and Mary College at the age of twelve years, he graduated at that institution when seventeen, delivering on that occasion an address which was pronounced to be singularly full of thought and of unusual merit. Leaving college, he now devoted himself to the study of law, in which he made such rapid progress that at the age of nineteen he appeared at the bar of his native county as a practicing lawyer. His success was now unqualified, and his popularity evinced by an early summons to public office. In December, 1811, he represented Charles City County in the House of Delegates, and was re-elected for five successive years. In 1816 he was elected to the United States Congress, and was here twice re-elected. Towards the close of the term of 1821, ill-health compelled his resignation, and he retired for a brief season to his farm, "Sherwood Forest," in Charles City County; but in 1823 we see him again in the Virginia Legislature, taking prominent part in all matters of public interest. In 1825 he was elected by the General Assembly Governor of Virginia. He was re-elected the following year by a unanimous vote, but being elected January 18, 1827, to succeed John Randolph in the United States Senate, he resigned the office of Governor on the 4th of March following. Thus,

step by step, was this distinguished son of Virginia advancing to that highest honor which can be conferred upon an American citizen. Whilst efficiently representing Virginia in the United States Senate, Mr. Tyler also was a member of her memorable Constitutional Convention of 1829-30. After several years of important and exciting service in the United States Senate, Mr. Tyler was in 1833 re-elected to this body for six years. In the spring of 1838, Mr. Tyler was elected again to the Virginia Legislature, and in 1839 was sent a delegate to the Convention that met at Harrisburg, Pennsylvania, to nominate a candidate for President of the United States. He was chosen Vice-President of the Convention. The choice of this body having fallen upon General William Henry Harrison for President, Mr. Tyler was chosen Vice-President. They were both elected, and were inaugurated March 4, 1841. President Harrison dying April 4, after one brief month's administration, Mr. Tyler became President of the United States.

President Tyler's term was full of interest and importance. During this period the valuable territory of Texas was annexed to the United States and became an influential addition to the Union; the act establishing a uniform system of proceedings in bankruptcy was passed in August, 1841, and the protective tariff law created in 1842. During the excitement of the Democratic Convention at Baltimore, Maryland, assembled to nominate candidates for President and Vice-President in 1844, Mr. Tyler was the first choice of a large following for the office of President, but he withdrew from the contest and retired after many well-spent years of public service to the leisure of private life. From this repose he was again called by the stirring events of 1861. He presided with great dignity over the momentous deliberations of the Peace Conference, which was proposed by the Virginia Legislature at his suggestion, and which met in Willard's Hall, at Washington, D. C., February 4, 1861. Subsequently he was a member of the first Confederate States Congress, and died at Richmond, Virginia, January 17, 1862, while holding that office. He was buried in Hollywood Cemetery, and was laid to rest in the bosom of his native state, deeply and widely mourned.

## XCIII.

WILLIAM B. GILES.

*Governor.*

March, 1827, to March, 1830.

WILLIAM BRANCH GILES, an American statesman, descended from early colonial settlers, was born in Amelia County, Virginia, August 12, 1762. Beginning his education at William and Mary College, he pursued his studies at Princeton College, New Jersey, from whence he graduated with distinction in 1781. Embracing the profession of law he soon obtained a lucrative practice in Petersburg, Virginia, and in August, 1790, his ability for public life was shown by his election to the United States House of Representatives. He began his entrance upon politics as a Federalist, but separated himself from his party upon the question of establishing a United States Bank, and allied his future fortunes to the Democratic standard. In 1798 he declined a seat in Congress that he might aid James Madison in the General Assembly of Virginia (where he represented Amelia County), in passing the celebrated Resolutions of 1798. In 1800 he was again elected to Congress, where he was one of President Jefferson's most zealous supporters.

In 1803 Mr. Giles declined a re-election to Congress, and in August, 1804, was elected by the Executive Council of Virginia to the United States Senate, to fill the vacancy occasioned by the resignation of Wilson Cary Nicholas. Here he took at once the position of Democratic leader, and held it until 1811, when he openly manifested his opposition to the administration of President Madison. On January 2, 1811, he was re-elected to the United States Senate by the Virginia Assembly, but resigned his seat, November 23, 1815, before completing this term, which did not expire until March

4, 1817. Remaining in retirement from 1815 to 1826, he was induced to become a member of the Legislature as a delegate from Amelia County. In this year he was elected by the General Assembly, Governor of Virginia, which office he held by annual re-election until 1830. He was a member of the State Constitutional Convention of 1829-30, and engaged prominently in the absorbing and momentous debates of that body. He died December 4, 1830, at his seat, "The Wigwam," in Amelia County, in the 69th year of his age.

Mr. Giles married, March 3, 1810, Miss Frances Anne Gwynn, and their son, Thomas T. Giles, became a distinguished member of the Richmond Bar; their other children, connected with various prominent families in Virginia, have left able and honorable descendants.

Giles County, Virginia, formed in 1806 from the Counties of Monroe and Tazewell, was named in honor of William Branch Giles.

# XCIV.

## JOHN FLOYD.

*Governor.*

March, 1830, to March, 1834.

JOHN FLOYD, Governor of Virginia, was born in Jefferson County, Virginia, April 24, 1783. He was the son of John Floyd, a man conspicuous in the stirring scenes in which he lived, and memorable as a surveyor, a legislator, and a soldier in the interesting annals of Kentucky and Virginia, from 1769 to 1783.

John Floyd, Jr., was educated at Dickenson College, Carlisle, Pennsylvania, and at the age of twenty-one married, in Kentucky, his cousin Letitia, daughter of Colonel William Preston. Later, he graduated in medicine at the University of Pennsylvania, and settled in Montgomery County, Virginia. He was appointed a Justice of the Peace in June, 1807; commissioned as Major of Militia in 1808; served as surgeon in the Virginia Line in 1812, in the second war with Great Britain, and in the same year was elected a member of the House of Delegates of Virginia. In 1817 he was elected to the United States House of Representatives, and efficiently served in that body until 1829. In 1830 Mr. Floyd was elected Governor of Virginia by the General Assembly, and filled this office most acceptably until 1834. His health having become very delicate he retired from public life, and died suddenly at the Sweet Springs, Montgomery County, August 15, 1837.

In the second year of Governor Floyd's administration as chief executive of Virginia, occurred the notable event known as the "Southampton Insurrection." This was a futile uprising of a few negroes led on to deeds of blood by a master-spirit, whose desire it was to exterminate the white

race. This tragic event took place in the County of Southampton, south of James River, in the summer of 1831. Unlike Gabriel (the negro leader of the servile insurrection of 1800), who was twenty-four years of age, tall and powerful in person, with a grim and repulsive face scarred by fighting, the leader of the Southampton Insurrection was a negro of feeble person, but of great cunning. He passed among his people as a prophet, and by his powerful influence over them filled them with a thirst for blood. Nat Turner, this swarthy leader, attacked his master's house, killed him, his wife, and children with the axe, and with his band put to sudden and violent death fifty-five whites, almost all of whom were women and children. The men of the county, aroused by these atrocities, pursued the insurgents, killed many and captured others, thirteen of whom were hung with Nat Turner, their wicked "prophet."

These events caused great excitement throughout Virginia, but the man at the head of affairs in the Old Dominion was ready for the emergency. It was said of him: "None who knew Governor Floyd well could have failed to receive the impression that nature had endued him with the qualities of the hero, and that the stage and the opportunity only, were wanting to have enabled him to shine among those who dazzled mankind with deeds of chivalry and prowess." He was a man of unusually handsome and commanding appearance, and in those days of anxiety during the "Southampton Insurrection," the people of Virginia felt that in their Governor they possessed a tower of strength—a man whose wisdom and valor were equal to any emergency.

He took efficient means to suppress this insurrectionary spirit, but the tragic story of Nat Turner and his murderous allies still lends a painful interest to this administration.

Floyd County, Virginia, formed in 1831 from Montgomery County, was named in honor of Governor Floyd, and his record is that of a man gifted with the noblest qualities of human nature, who finished his course untouched by blame, and died as he had lived, the inflexibly upright and devoted patriot.

# XCV.

## LITTLETON WALLER TAZEWELL.

*Governor.*

March, 1834, to April 30, 1836.

LITTLETON WALLER TAZEWELL, son of Judge Henry Tazewell and Dorothea Waller Tazewell, was born December 17, 1774. The founder of his family was of English origin. William Tazewell, lawyer, the first settler in Virginia, arrived in the Colony in 1715, and made his home in Accomac County. His second son, Littleton, was the father of Judge Henry Tazewell, in whose honor the County of Tazewell, Virginia (formed in 1799 from Russell and Wythe), was named. Littleton Waller Tazewell, his son, enjoyed peculiar advantages in childhood, having lived with his grandfather, Judge Benjamin Waller, who superintended his studies and taught him English and Latin himself. When Judge Waller was dying he committed young Tazewell to the care of his life-long friend, the distinguished George Wythe. This threw him into very intimate and improving relations with the man who presided over the courts which Tazewell attended in later years in Richmond.

Littleton Waller Tazewell graduated at William and Mary College, and subsequently studied law, receiving his license to practice, May 14, 1796. He at once developed great ability in his profession. In the spring of 1796 he was returned to the House of Delegates from James City County, and continued a member of that body until 1800, when, at the age of twenty-five, he was elected to the United States House of Representatives. At the close of his Congressional term, Mr. Tazewell returned to his home and entered upon the active practice of his profession in the City of Norfolk, which



he now made his residence, and where, in 1802, he married Anne Stratton, daughter of Colonel John Nivison.

In 1816, during an absence from home, and without his knowledge, Mr. Tazewell was elected by the people of Norfolk to the House of Delegates. In 1820, he was one of the Commissioners under the Florida treaty, and in 1824, he was elected to the United States Senate. Here he took his seat in January, 1825, and performed an active and conspicuous part in senatorial affairs. In 1829 he was re-elected to the same high and responsible office, and whilst in attendance on the Senate, was elected by the Norfolk district a member of the Convention which assembled in Richmond, October 5, 1829, to revise the first Constitution of Virginia. Here Mr. Tazewell made the opening speech and took a leading part in that memorable body. In 1829, he was also tendered the mission to England, but declined the honor. He continued in the Senate until 1833, serving as Chairman of the Committee on Foreign Relations, and as President *pro tem.* of the body during a portion of the twenty-second Congress. In January, 1834, he was elected Governor of Virginia, and entered upon the duties of this office March 31 ensuing. He resigned April 30, 1836, before the expiration of the term, upon a disagreement with the State Legislature. That body had passed resolutions instructing the Senators from Virginia to vote for the resolutions to expunge from the journal of the Senate the resolutions censuring General Jackson. These instructions Governor Tazewell declined to approve, and he resigned his office, never afterwards appearing in public service. He is said to have been a very finished speaker, adding to consummate logic, the force of an address that was singularly pleasing and effective. His appearance in youth was handsome, in middle age striking, but in his latter days it might have been called almost majestic, with his commanding stature, his massive features, and hair of silvery whiteness, which fell in ringlets about his neck. He died in Norfolk, May 6, 1860. He was the author of a "Review of the Negotiations between the United States and Great Britain respecting the commerce between the two countries."

# XCVI.

## WYNDHAM ROBERTSON.

*Lieutenant-Governor.*

April 30, 1836, to March, 1837.

WYNDHAM ROBERTSON was the grandson of William Robertson, who emigrated from Edinburgh, Scotland, in the early part of the eighteenth century, and settled in Bristol parish near the present location of Petersburg, Virginia. The son of this first settler Robertson, William the second, was born in 1750, was a vestryman, warden, and deputy of Bristol parish from 1779 to 1789, and a member of the Council of Virginia, and its Secretary for many years. He married Elizabeth Bolling, and Wyndham Robertson, the subject of this sketch, was their seventh child.

Wyndham first attended school in his native city, Richmond, and completed his education at William and Mary College (under the presidency of the brilliant John Augustine Smith,), from whence he graduated in 1821. Selecting the profession of law, he was admitted to the bar in 1824, and became a popular speaker and successful practitioner. In 1833 he was elected a member of the Council of State, and was prominent in matters of internal improvement in Virginia.

Being senior member of the Council, and as such, Lieutenant-Governor, upon the resignation of Governor Tazewell, April 30, 1836, Mr. Robertson was called to the Executive Chair. The period is very memorable as ushering in those initial movements which were the prelude to a great and bloody drama.

Governor Robertson, upon the expiration of his gubernatorial term, retired to private life, and as his health had become impaired he now followed more specially the interesting pursuits of agriculture. But in 1858 he returned to

Richmond, and in 1860 was elected to the House of Delegates. A friend to peace and the Union, he urged moderation in this epoch of excitement, and even after South Carolina and other southern states had seceded, he still earnestly advocated a refusal on the part of Virginia to follow their example. On January 7, 1861, he introduced a Resolution into the House of Delegates, known as the Anti-Coercion Resolution, denying the existence of present cause for secession, but declaring the purpose of Virginia, if a war of coercion was undertaken by the Federal Government on the seceded states, to fight with the South. The resolution was adopted, and the sequel needs no comment here.

Ever a faithful son to his native state, Governor Robertson shared her trials and sorrows along the "*via dolorosa*" of a four years' war, and after the struggle was over he addressed himself with ardor to the study of Virginia history. To this subject he contributed many interesting articles, among the most valuable being a genealogical account of "The Descendants of Pocahontas."

# XCVII.

## DAVID CAMPBELL.

*Governor.*

March, 1837, to March, 1840.

DAVID CAMPBELL was descended from a distinguished Scottish family. His father, John Campbell, was one of those Justices who, after the County of Washington had been formed, in 1776, met at Abingdon, Virginia, and organized and held the first County Court, January 28, 1776. In 1778, John Campbell married Elizabeth McDonald, and their eldest son, David, the subject of this sketch, was born August 2, 1779, at "Royal Oak," in the valley of the Holstein, about one mile west of Marion, the county seat of Smyth County. When about eight years of age, his father removed to "Hall's Bottom," in Washington County, and here young David Campbell received that early education which ever forms the groundwork of future character.

Nurtured upon the frontier of Virginia amid scenes that developed self-reliance, and among the men who had taken part in the establishment of the country, David Campbell in his fifteenth year was ready to shoulder his musket and assume the duties of a soldier. In 1794, when a mere boy, he was appointed an ensign in Captain John Davis's Company of Militia, in the 2d Battalion of the 70th Regiment. When, in 1799, the 70th Regiment was divided and the 105th formed, in the 2d Battalion of this Regiment, David Campbell was commissioned as Captain of a company of Light Infantry assigned to it, which company he raised and organized. In this same year he married his cousin, Mary Hamilton. He now studied law and obtained a license, but never practiced his chosen profession, though he employed much time in use-

ful reading and enriched his store of information by communion with the best authors. In this way he cultivated a naturally vigorous mind, and acquired a style for written composition which was peculiarly pleasing and forcible.

Having a taste for military life he gave up the clerkship of the County Court of Washington County, which he had held from 1802 to 1812, and on the 6th of July, 1812, accepted a commission as Major in the 12th Infantry, United States Army. He marched with his command to the lakes of Canada in August following, and efficiently served there under the command successively of Generals Smyth and Van Rensselaer. On 12th March, 1813, he was promoted to the rank of Lieutenant-Colonel of the 20th Regiment, United States Army, and participated in the trying campaigns of that regiment on the St. Lawrence and towards Lake Champlain. The exposure which Colonel Campbell here suffered seriously impaired his health, and in consequence, on January 28, 1814, he was compelled to resign his commission. Returning home he soon entered the service of Virginia as Aide-de-Camp to Governor Barbour, and gave valuable assistance in organizing the Militia force, called into service in the neighborhood of Richmond and Petersburg, in the summer of 1814. In the session of the Virginia Assembly of 1814-15, a law was passed for raising 10,000 troops, and under it Colonel Campbell was elected General of the 3d Brigade. On the 25th January, he was appointed Colonel of the 3d Virginia Cavalry, but was afterwards transferred to the 5th Regiment of Cavalry. Upon his return to Abingdon, Virginia, he again entered the clerk's office, where he continued until 1820, when he was elected to the Senate of Virginia. In 1824, he was elected clerk of the County Court of Washington County, and held this office until 1836, when he became Governor of Virginia.

A review of the Acts of the General Assembly during Governor Campbell's administration, will show the great strides Virginia was now making in the march of internal development—her Railroads, Mining Companies, Manufactories, Foundries, Banks, and Colleges, all sharing legislative

attention and attesting the steady growth of a state whose progress, was ever "onward and upward."

Governor Campbell retired to his home in Abingdon after the expiration of his term as Governor; there he accepted the office of Justice of the Peace, which position he filled until 1852. Declining health now compelled him to withdraw from public life, where for nearly half a century he had in various capacities served his country. He died March 19, 1859, bringing to a close a well-spent life, and bearing to the grave the veneration and gratitude of his fellow-citizens.

## XCVIII.

### THOMAS WALKER GILMER.

*Governor.*

March, 1840, to March, 1841.

THOMAS WALKER GILMER, son of George Gilmer, was born at "Gilmerton," his father's seat, in Albemarle County, Virginia, April 6, 1802. The founder of the Gilmer family in Virginia, Dr. George Gilmer, was a native of Scotland and a graduate of the University of Edinburgh. Early in the 18th century he migrated to America and settled in Williamsburg, Virginia, where for fifty years he successfully combined the professions of physician, surgeon, and druggist. He married three times, each time into a family of high position, and died leaving to his numerous descendants a truly honored name. His great-grandson, Thomas Walker Gilmer, began life under very favorable auspices, receiving an extensive education from tutors and at private schools. Later he enjoyed the instruction and training of two very intellectual uncles, and when he began the study of law his progress was rapid and substantial. Entering upon his chosen profession, he was for a time allured to the growing West, tempted by the wider field there offered to aspiring industry and talent. He remained for a season in St. Louis, Missouri, where flattering prospects spread before him, but, finding his presence missed at home, he returned to the bosom of his family. In this step he was influenced by a noble desire to aid those he loved best, by his own personal exertions. He soon took a high position at the bar in Charlottesville and in the adjacent counties, and became at once prominent in the discussion of the legal and political questions of the day.

During the canvass which resulted in the election of General Andrew Jackson to his first term as President, Mr.

Gilmer was one of the editors of the "Virginia Advocate," a newspaper published in Charlottesville and devoted to the interests of General Jackson. He also contributed to other newspapers and acquired a fine reputation as a writer. In the spring of 1829 Mr. Gilmer was sent by the County of Albemarle to the Virginia House of Delegates, and at the expiration of his first term was returned by an increased majority to this position. In 1831 Governor John Floyd appointed him Commissioner of the State to prosecute the Revolutionary claims of Virginia against the United States.

In the spring of 1832 Mr. Gilmer was again elected to the House of Delegates, and re-elected thereto in 1833, 1835, and 1838. His time when not engaged in legislative duties was spent in traveling through the United States and contributing valuable papers to leading journals upon the various States with which he thus became familiar. In 1838 he was made Speaker of the House of Delegates, and was re-elected to this body in 1839. On February 14, 1840, he was elected Governor of Virginia, to take the executive chair on the following 31st of March.

Governor Gilmer entered upon his new duties with the zeal natural to him. Being deeply interested in the material development of Virginia, he made a careful personal inspection of nearly all the important public works of the state. This tour gave him the information necessary to an able elucidation of the subject which he laid before the General Assembly soon after. He had now to meet a complicated and irritating question with Governor Seward, of New York, relative to the surrender of some men (charged with slave-stealing in Virginia) who were fugitives from justice. Governor Gilmer demanded their unconditional surrender, deeming the refusal to do so a palpable and dangerous violation of the Constitution and laws of the United States. (See Resolutions of General Assembly of Virginia. Adopted March 17, 1840.) But New York did not respond to the demand, and the Legislature of Virginia receding from its position failed to sustain Governor Gilmer. Dissatisfied at this want of harmony and proper co-operation, Governor Gilmer sent in his



resignation. Feeling ran high in the Legislature, and they were unable to elect a successor, so the body adjourned, leaving the office of Governor to be filled by the Senior Councillor of State, as provided by law. Governor Gilmer was thus succeeded, until the 31st of March following, by John Mercer Patton.

Governor Gilmer now offered himself as a candidate for Congress from the Albemarle district, and was elected by a handsome majority, taking his seat in the Congress which had been convened by the proclamation of President Harrison, dated March 17th. Mr. Gilmer, in this new field of activity, labored zealously for reform and retrenchment, and was placed at the head of the important Standing Committee of Ways and Means. In 1843 he was re-elected to Congress, and on February 15th, 1844, was nominated by President Tyler to be Secretary of the Navy. The nomination was unanimously confirmed and Mr. Gilmer entered upon the discharge of his duties with accustomed industry. But his labors were soon terminated by his tragic end in the catastrophe on the steamer *Princeton*, February 28, 1844. He died in the forty-second year of his age, "stricken down on the very harvest-field of his faithful labors, and with the sheaves of gathered honors standing thick around him." He had married Miss Ann E. Baker, of Staunton, and left to mourn his loss four sons and two daughters.

A handsome portrait of Governor Gilmer is in the State Library at Richmond, and a marble slab marks his grave at "Mt. Air," Albemarle County, Virginia.

# XCIX.

JOHN MERCER PATTON.

*Senior Councillor*

*and*

*Acting Governor.*

March 18, 1841, to March 31, 1841.

JOHN MERCER PATTON was the son of the worthy Robert Patton, a native of Scotland, who emigrated to America some time before the Revolution. He settled first in Charleston, South Carolina, but eventually moved to Fredericksburg, Virginia, where he established himself as a merchant. Robert Patton married Anna Gordon, daughter of the distinguished General Hugh Mercer, who fell mortally wounded at the battle of Princeton, January 3, 1777. Their third son, John Mercer, is the interesting subject of this sketch. He was born August 10, 1797, and enjoyed a liberal education. Adopting the profession of law, he entered upon its practice in his native town, Fredericksburg, and soon acquired an enviable distinction at the bar. This being the usual path to political preferment, he was in 1830 elected to the United States Congress, and continued to serve there with conspicuous ability until 1838, when he removed to Richmond, and was elected a member of the Council of State. Upon the resignation of Governor Gilmer, March 18, 1841, Mr. Patton, Senior Councillor, succeeded him as chief executive of Virginia until the expiration of his yearly term as Senior Councillor on the 31st March following. At that date he was succeeded by Senior Councillor John Rutherford in this highly important office.

In ability and legal acquirement, Mr. Patton took rank among the first minds in his section of country. In 1849 he

assisted in a revision of the Code of Virginia, and his high reputation as a lawyer was acknowledged amidst an array of talent which has been scarcely surpassed at any period in the Old Dominion.

Mr. Patton died at Richmond, Virginia, October 28, 1858, and his remains were interred in Shockoe Hill Cemetery there. A handsome fluted column of white marble, emblematically crowned with several volumes, marks his last resting place. He left a large and interesting family to mourn his loss and to perpetuate his name and virtues.

# C.

## JOHN RUTHERFOORD.

*Senior Councillor*

*and*

*Aëling Governor.*

March, 1841, to March, 1842.

THOMAS RUTHERFOORD, a native of Kircaldy, Scotland, was born in Glasgow, January 9, 1766. Having received good educational advantages and a subsequent mercantile training, he was entrusted by the firm in whose employment he was, with a cargo of goods valued at £10,000, for disposition in Virginia. The young and trusted apprentice set sail from Dublin, October 10, 1784, furnished with a letter of recommendation to General Washington from Sir Edward Neversham, member of Parliament from the County of Dublin. Thomas Rutherford met with deserved success, was admitted as a partner with his employers, and soon acquired the entire business as merchant, miller, importer, and exporter. Having at first located in Richmond, he became in time one of the largest real estate owners in the city. He developed a marked individuality of character and grew to be a clear and vigorous writer. His papers on various subjects connected with commerce and the tariff question were considered very exhaustive and met with widespread commendation. He married Sarah Winston, and left thirteen children, among whom was "John," their eldest son, the subject of this notice.

John Rutherford was born in Richmond, Virginia, December 6, 1792. After a thorough preliminary course at school he finished his education at Princeton, New Jersey, and adopting the profession of law, entered upon its practice

most successfully. In 1826 he was elected to the House of Delegates from the City of Richmond, and served, with some intervals, in that body until 1839, when he was appointed one of the Councillors of State, as provided by the amended Constitution of 1830. As Senior Councillor, Mr. Rutherford, on the 31st of March, 1841, succeeded John Mercer Patton as Acting Governor of Virginia, and continued to serve until March 31, 1842. Governor Rutherford continued as a member of the State Council until the year 1846. In 1836 he was elected president of the Mutual Assurance Society of Virginia, in which position he served efficiently for thirty years. He was also much interested in the volunteer military organizations of the state, and was the originator and first Captain of the Richmond Fayette Artillery organized June 20, 1821. He obtained the rank of Colonel, by which title he was familiarly known.

Governor Rutherford married, April 24, 1816, Emily Anne Coles, and left numerous descendants. He died at Richmond, Virginia, August 3, 1866, and is buried in Shockoe Hill Cemetery, leaving the memory of a man of strong intellect and vigorous character, combined with those enduring charms which ever attach to a modest, virtuous, unassuming gentleman.

# CI.

JOHN M. GREGORY.

*Senior Councillor*

*and*

*Acting Governor.*

March, 1842, to January, 1843.

JOHN MUNFORD GREGORY, the son of John Munford and Letitia Gregory, was born in Charles City County, Virginia, July 8, 1804. He was the descendant of early settlers in the Colony, and his progenitors had borne honorable part in the War of the Revolution, his grandfather having been killed in action on the Jersey line, at a place called Quibbleton.

John Munford Gregory's early education was, after the rudiments acquired at an "old field" school, pretty much self-education. He taught himself, and learned at the same time the important lesson of the dignity of labor. As a farm hand he had his toil sweetened by aspirations of a higher life, and removing to James City County, began his upward course by teaching. He then pursued the study of law, and entered William and Mary College, from which institution he graduated with the degree of Bachelor of Law in 1830. He was, in the same year, elected the delegate from James City County to the Legislature, in which office he served continuously until 1841, when he was elected a member of the Council of State. Becoming Senior Councillor, by rotation, on March 31, 1842, he succeeded John Rutherford as Acting Governor of Virginia, and continued the chief executive of the state until January 1, 1843, when he was succeeded by Governor James McDowell. In accordance with an Act of the General Assembly, passed December 14, 1842, the term now for which the Governors of Virginia were

electd began on the first day of January next succeeding their election.

As an instance of Governor Gregory's modesty, it is worthy of note that he refused to occupy the gubernatorial mansion whilst filling temporarily the executive chair. His tenure of office being short he addressed himself rather to the active discharge of his official duties, ignoring the outward and visible signs, the "pomp and circumstance" of a Governor's usual surroundings.

In 1853 John Munford Gregory was appointed United States Attorney for the Eastern District of Virginia, which position he held until the year 1860, when he was elected Judge of the Sixth Judicial Circuit of Virginia, serving in this capacity until 1866. At this date he was removed from office by the Federal authorities, and resuming the practice of his profession was soon elected Commonwealth's Attorney for Charles City County. This post he held until 1880, when feeble health compelled his retirement from active labor. He removed in 1881 to Williamsburg, Virginia, to enjoy in a serene old age the rewards of a virtuous, well-spent life. The honors which he had gathered were the recompense of natural ability, steadfastness of purpose, and sterling integrity, than which no nobler combination can be found in all that goes to make up—a man.

Governor Gregory married Miss Amanda Wallace, of Petersburg, Virginia, and a large family perpetuates his ancient and honorable name.

## CII.

### JAMES McDOWELL.

*Governor.*

January, 1843, to January, 1846.

JAMES McDOWELL was born at the family seat, "Cherry Grove," Rockbridge County, Virginia, October 11, 1795. He was the son of James and Sarah Preston McDowell, and was descended from Ephraim McDowell, the founder of this distinguished name in Virginia. Having enjoyed peculiar advantages in elementary instruction, he entered Washington College, then attended Yale, and finally completed his education at Princeton, New Jersey, from which college he graduated as Master of Arts in 1816. So pleased was young McDowell's father with his son's success at college, that upon his return home he presented him with a valuable tract of land, about 2500 acres, in Bourbon County, Kentucky.

In September, 1818, James McDowell married his cousin, Susan Preston, and removed to his plantation in Kentucky, but, his father's health failing about this time, he returned to Virginia and settled on a farm in the neighborhood of Lexington. This, he made his permanent home, and here he reared his children.

In 1831 Mr. McDowell was sent by Rockbridge County to the House of Delegates of Virginia, and returned again for the session of 1832-3. From this time onward Mr. McDowell was continuously in public life, in the service of his state and in the National Council. In December, 1842, he was elected by the Legislature, Governor of Virginia, and on the 1st of January following entered upon the duties of his office. His term was conspicuous for the piety and temperance which reigned at the gubernatorial mansion. Being an ardent Presbyterian and an advocate of the cause of temperance, he



left his impress upon the social world of his day as their zealous champion. In every way he upheld the dignity of his high and responsible position. Whilst yet Governor of Virginia he was elected to the United States House of Representatives, and served in Congress with marked ability until 1851, when death closed his active, useful, and distinguished career. He died at Lexington, August 24, 1851, in the fifty-sixth year of his life, leaving nine children to mourn his loss and a wide circle of friends to honor his memory.

Governor McDowell's ability was of a superior order, and his grave and moderate course strengthened the influence which his intellectual power secured. As a speaker he is said to have been eloquent and effective, and by his high and noble bearing he adorned every situation he was called upon to fill.

## CIII.

### WILLIAM SMITH.

*Governor.*

January 1, 1846, to January 1, 1849.

WILLIAM SMITH, son of William and Mary Waugh Smith, descended from some of the earliest settlers of Virginia, was born September 6, 1797, in King George County. Here he received his first instruction in the "old field" schools, around which primitive cradles of learning so much romantic interest now settles. Later, young Smith enjoyed tuition in Fredericksburg, Virginia, and Plainfield, Connecticut, and subsequently was sent to a classical school at "Wingfield," Hanover County, Virginia. Adopting the profession of law, William Smith obtained his license and qualified in the Court of Culpeper County, August, 1819. His ardor and ability soon gained for him success, and his taste for politics opened a wide field for his ambitious spirit. In 1836 he was elected to the Virginia State Senate, and served through the term of four years; was re-elected, but resigned after serving one session.

Early in Mr. Smith's public career he had been convinced of the necessity for improved mail facilities in Virginia and the South. In 1827 he obtained from the United States government a contract for carrying the mails once a week from Fairfax Court House to Warrenton, and thence to Culpeper Court House. This contract was renewed in 1831, and led to the establishment, in four years, of a daily four-horse post-coach line from Washington City to Milledgeville, Georgia.

In 1841 Mr. Smith was elected to Congress, and served in that body until 1843, and in December, 1845, he was elected

Governor of Virginia for the term of three years, succeeding James McDowell, January 1, 1846.

Among the interesting Acts passed during Governor Smith's administration is that of March 13, 1847, viz.:

*"Be it enacted by the General Assembly of the Commonwealth of Virginia, That the territory comprising the County of Alexandria, in the District of Columbia, heretofore ceded by this Commonwealth to the United States, and by an Act of Congress, approved on the ninth day of July, eighteen hundred and forty-six, retroceded to this Commonwealth, and by it accepted, is hereby declared to be an integral portion of this Commonwealth, and the citizens thereof are hereby declared to be subject to all the provisions and entitled to all the benefits, rights, and privileges of the Bill of Rights and Constitution of this Commonwealth."*

Governor Smith's term is also to be remembered as the period of the war with Mexico and the excited discussion of the admission of California as a state into the Union. This new country of the golden fleece was drawing men from every quarter of the globe, and thither Governor Smith now (1850) turned his steps. He engaged at once in the practice of his profession in San Francisco, was returned by that city as its delegate to the Constitutional Convention which met at Benicia in the fall of 1850, and was unanimously elected the permanent President of that body. In the State Assembly which convened soon after, Governor Smith was nominated for United States Senator, but was not elected. In 1852 he determined to return to Virginia, bringing a handsome addition to his means and increased reputation as the result of a two years' residence upon the Pacific slope. In May, 1853, Governor Smith was elected to Congress from Virginia, and served in this body by successive re-election until March 4, 1861.

At this period, the late war between the sections was approaching, and Governor Smith, though in his sixty-fourth year, entered the army in the Southern cause. Offering his services to the Governor of Virginia he was commissioned Colonel and assigned to the command of the 49th Regiment of Virginia Infantry. In the autumn of 1861 Colonel Smith was elected to the Confederate States Congress,

He attended this body when it convened at Richmond in February, 1862, leaving his Regiment in the command of the Lieutenant-Colonel. Upon the adjournment of Congress, April 16, he rejoined his command. At the reorganization of the Regiment, May 1st, he was re-elected its Colonel, upon which he resigned his seat in Congress, participating thereafter, with his command, in the historic operations on the Peninsula, about Yorktown, and later in those near Richmond. In the battle of Sharpsburg, Maryland, September 17, 1862, Colonel Smith was severely wounded, but before the wounds were healed he returned to the field and took command of the 4th Brigade, having been promoted to the rank of Brigadier-General. General Smith now announced himself as a candidate for Governor of Virginia, was elected by a large majority, and entered upon his duties as chief executive, January 1, 1864. Early in August, 1863, he had been promoted to the rank of Major-General.

In a later chapter in this work will be recorded some of Governor Smith's valuable services in this desperate period of Virginia's history.

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## CIV.

### JOHN BUCHANAN FLOYD.

#### *Governor.*

January 1, 1849, to January 1, 1852.

JOHN BUCHANAN FLOYD was the eldest son of Governor John and Letitia Preston Floyd, and was born at Smithfield, Montgomery (now Pulaski) County, June 1, 1806. Receiving his early education through private tutors, he entered the College of South Carolina, from which institution he graduated in 1826. Choosing law as his profession, he was admitted to the bar in 1828, and commenced practice in his native county. In 1836 he removed to Helena, Arkansas, where for three years he practiced his profession successfully, but in 1839 he determined to return to Virginia and locate in Washington County. Being an ardent Democrat and a fluent, impressive speaker, Mr. Floyd now became a prominent politician, and in 1847 was returned by Washington County to the House of Delegates of Virginia, and whilst a member of the Assembly was elected by it Governor of Virginia, to succeed Governor William Smith, January 1, 1849.

It is a matter of interest, that Crawford's monument, known as the "Washington Monument," which adorns the public square around the capitol, in Richmond, was commenced during Governor Floyd's term. This noble work of art consists of a bronze equestrian statue of Washington, rising from a granite pedestal, surrounded by bronze figures of Thomas Nelson, Jr., Andrew Lewis, John Marshall, Patrick Henry, Thomas Jefferson, and George Mason. When the equestrian statue arrived in Richmond, Virginia, November, 1857, it was drawn through the streets of the city, from the river-landing to the Capitol Square, by the enthusiastic citizens.

The allegorical figures on this monument greatly enhance

its beauty and its value as an historical compendium of the deeds and virtues of many other unrecorded Virginians whose memory it honors. The following indicates the position of the statuary and the inscriptions on the shields of the allegorical figures :

<i>Finance</i> , opposite, <i>Thomas Nelson, Jr.</i>	{ Yorktown. Saratoga.
<i>Colonial Times</i> , opposite, <i>Andrew Lewis.</i>	{ Point Pleasant. Valley Forge.
<i>Justice</i> , opposite, <i>John Marshall.</i>	{ Great Bridge. Stony Point.
<i>Revolution</i> , opposite, <i>Patrick Henry.</i>	{ Eutaw Springs. Trenton.
<i>Independence</i> , opposite, <i>Thomas Jefferson.</i>	{ King's Mountain. Princeton.
<i>Bill of Rights</i> , opposite, <i>George Mason.</i>	{ Guilford C. H. Bunker Hill.

Upon the expiration of Governor Floyd's gubernatorial term, he was succeeded by Governor Joseph Johnson, January 1, 1852.

In 1855, Governor Floyd was again returned to the House of Delegates, by Washington County, and entering actively and efficiently into the political affairs of the day, he became a prominent Democratic leader in Virginia. In March, 1857, he was appointed by President Buchanan as Secretary of War, and applied himself with great diligence to the fulfillment of the duties of this office. But, as the late, unhappy war between the sections was now drawing on, questions arose which induced Governor Floyd to resign his Cabinet position and return to his native state. On May 23, 1861, he was appointed a Brigadier-General in the Confederate States Army. He received later, for his honorable services, the commission of Major-General, but constant exposure in active military operations had so affected his health, that he was compelled to return home, where he shortly after died, on August 26, 1863.

Governor Floyd married in early life his cousin, Sarah Buchanan Preston, but left no children.

# CV.

## JOSEPH JOHNSON.

*Governor.*

January 1, 1852, to January 1, 1856.

IN reviewing the career of Joseph Johnson, the triumph of natural ability and lofty character over the inauspicious circumstances of his early life is very striking. He was born in New York, but moved with his family to Harrison County, Virginia, at the age of fifteen years. Here he was the support of his widowed mother and younger brother, with no advantages for learning other than his own self-help. Gradually his industry and probity won their way, and he became first, employee, then manager, and finally the son-in-law of a respectable farmer in the neighborhood where he lived. In the end he purchased the estate of his former patron, and the place continued to be his home until the close of his life.

Mr. Johnson was eminently a self-made man, and his education, the result of solitary study by night and a continuous application of his powers in the search for knowledge.

In a debating society which he originated in a village near his home, he developed ability as a thinker and a speaker, but it was as the Captain of a Rifle Company (when the Atlantic sea-board was threatened in 1814, and he with his command were ordered to Norfolk) that he first came into public notice. From this time on, Mr. Johnson's long and active life was replete with gathering honors and usefulness. In 1818 he was elected to the Virginia House of Delegates, and again in 1822, declining re-election at the expiration of this last term. In 1823, he was sent to Congress, and in 1845, was elected to that body for the seventh time. At the close of the 29th Congress, in 1847, Mr. Johnson issued an address to his constituents, thanking them for their past con-

fidence, and expressing his wish to retire permanently from public life. But the people could not spare him yet, and he was returned to the House of Delegates, where he served in the session of 1847-48. In 1850 he was elected a member of the State Constitutional Convention, and whilst a member of that body was chosen by the Legislature, Governor of Virginia, under the provisions of the then existing Constitution. In the fall of 1851, the Constitution which he had helped to frame was adopted, and under its articles Mr. Johnson, who had been nominated by the Democratic party, was elected Governor, by the popular vote, for the term of four years from January 1, 1852. This was the first election of a Governor of Virginia by the votes of the people.

Governor Johnson's administration was popular and successful, his attention being specially directed to the internal development of the state, and to the establishment of a general railroad system throughout Virginia. He justly regarded this latter method as the promptest and most efficient means to vitalize the abundant resources of the Old Dominion.

Upon the expiration of his gubernatorial term, Governor Johnson finally retired to private life, enjoying in the evening of his days, the comforts of a happy home enlivened by his family and friends.

When the period of the late war between the States drew on, Mr. Johnson was called upon to give his views to his fellow-citizens. This he did. Always loving the Union, he had counselled moderation and patience, but when the issue came, he advised his people to stand by their section.

Governor Johnson died in the 92d year of his age, on February 27, 1877, regretted as a man whose talents, firmness of character, and unsullied integrity had won in no common measure the esteem of his fellowmen. The day after his death a public meeting was held at Clarksburg, West Virginia, to give expression to the universal sorrow at his loss, to speak in glowing terms of his many virtues, and to tell of his private and public worth.



## CVI.

### HENRY ALEXANDER WISE.

#### *Governor.*

January 1, 1856, to January 1, 1860.

HENRY ALEXANDER WISE (descended from John Wise, who migrated to Virginia from England about the year 1650, and settled in Northampton County,) was born at Drummondtown, Accomac County, Virginia, December 3, 1806. Left an orphan at a tender age, he was adopted by his father's relatives, and in 1822 was sent to college in Pennsylvania, whence he graduated with distinction in 1825. Mr. Wise adopted the profession of law, and after an early marriage with Miss Ann Eliza Jennings, moved to Nashville, Tennessee, where he embarked upon the practice of law. In 1831 he returned to Accomac County, Virginia, and in 1832 was a delegate to the Democratic National Convention at Baltimore, Maryland, where he advocated the nomination of Jackson as President. In 1833 he was elected to Congress, and again in 1835 and 1837. His wife dying in 1837, he married, secondly, in November, 1840, Sarah, daughter of Honorable John Sargeant, of Philadelphia. In 1842 President Tyler appointed Mr. Wise, Minister to France, but the nomination was rejected by the Senate. Later, he was made Minister to Brazil, and in that office resided in Rio Janeiro, from May, 1844, to October, 1847. Returning to his own country he was, in 1850, a member of the Convention which revised the Constitution of Virginia. In December, 1854, he was nominated by the Democrats as their candidate for Governor, and elected by upwards of 10,000 majority.

In 1850 Mr. Wise's second wife died, and in November, 1853, he married Mary Elizabeth, daughter of Dr. James Lyons, of Richmond, Virginia.

Governor Wise's gubernatorial term was admirably conducted, but the ship of state, which had long been sailing tranquilly on, was now about to enter dark and stormy waters. The distant territory of Kansas had lately become the battleground of freedom and slavery, and this conflict, in that section, was sought by some to be transferred to Virginia soil. John Brown, whose exploits in Kansas had made him already notorious, now formed a plan to strike a death-blow to slavery in the very heart of a slave-holding state.

It was towards the close of Governor Wise's administration that the seizure of the arsenal at Harper's Ferry, Virginia, was attempted by John Brown and his few associates. The final object of the effort was to free the slaves, but, the undertaking failed and Brown met his fate upon the gallows, December 2, 1859. This was the opening scene in a great drama, whose consummation was at Appomatox Court House, in April, 1865. Between these two points of time lies written the history of a bloody war.

Of the Convention which met at Richmond, Virginia, February 13, 1861 (to consider the relations of Virginia to the Federal Government), Governor Wise was a prominent member, and as soon as his State severed her allegiance from the central government, Governor Wise offered his services to his country in the field of battle. He was at once made Brigadier-General in the Confederate Army, and entered upon a distinguished career as a soldier. From the beginning to the close of the four years' war, "Wise's Legion" was in active, military service, and won for itself a highly honorable record.

After the close of the war, General Wise engaged in the practice of law in the City of Richmond until his death, which occurred on September 14, 1876. He was a man of great energy, original and vigorous as a thinker, independent as an actor, and brilliant and persuasive as a speaker; a man of lofty principles and unsullied life, who gathered honors in every department of activity to which he directed his unusual powers of mind and character. He left several children, but his name is also perpetuated in a county in Virginia named after him.

## CVII.

### JOHN LETCHER.

*Governor.*

January 1, 1860, to January 1, 1864.

JOHN LETCHER was born in Lexington, Virginia, March 29, 1813, of parents descended from Welsh on the one side, and Scotch-Irish on the other; a staunch and sterling stock, whose virtues were well developed in the subject of this sketch.

John Letcher was not sent to school in early life, but began his career as a son of toil, beneath whose humble garb beat a soul eager to acquire knowledge. At the age of fifteen years we see him working at the trade of a tailor, studying at every leisure hour, and hoarding his hard-earned savings to help him to the goal of his ambition. But, not until after he was twenty-one did he have the satisfaction of entering college. At this period he became a student at Washington College, Lexington, and drank deeply of the sources of information there laid open to him. Deciding upon the profession of law, he applied himself to its study, and entered upon its practice in 1839, in his native town. His ability and steadfastness soon won success, and with success, came friends. He established at this time, at Lexington, "The Valley Star," and edited it ably in the advocacy of Democratic principles and the cause of education. In his profession he rose rapidly, and in the political questions agitating Virginia he took a leading part.

In 1848 Mr. Letcher served as Presidential Elector on the Democratic ticket, and when the Convention of 1850 was called to remodel the State Constitution, he was returned to that body by a large majority, although his district was strongly Whig. In 1851 he was elected to Congress, and

continued to serve there for four successive terms. It was here that, by his rigid adherence to principles of moderation in expenditure and fidelity to the best interests of the people, he obtained the soubriquet, "Honest John Letcher, the watch-dog of the Treasury"—a distinction which accompanied him throughout his chequered career.

Being elected Governor of Virginia in 1859, he took his seat on January 1, 1860, and became Chief Executive at one of the most trying periods of national and state history. Waves of angry passion were now sweeping over the length and breadth of the land, and the cloud of war, at first no bigger than a man's hand, was soon to burst in relentless fury over the devoted country.

Perhaps no better *résumé* can be found of the causes which led the people of Virginia to sever their ties from the Union they had loved so well, than the following, viz. :

#### PREAMBLE AND RESOLUTION

Offered in a large mass meeting of the people of Botetourt County, December 10th, 1860, by the Honorable John J. Allen, President of the Supreme Court of Virginia, and adopted with but two dissenting voices.

The people of Botetourt County, in general meeting assembled, believe it to be the duty of all the citizens of the Commonwealth, in the present alarming condition of our country, to give some expression of their opinion upon the threatening aspect of public affairs. They deem it unnecessary and out of place to avow sentiments of loyalty to the Constitution and devotion to the union of these States. A brief reference to the part the State has acted in the past will furnish the best evidence of the feelings of her sons in regard to the union of the States and the Constitution, which is the sole bond which binds them together.

In the controversies with the mother country, growing out of the efforts of the latter to tax the colonies without their consent, it was Virginia who, by the Resolutions against the Stamp Act, gave the example of the first authoritative resistance by a legislative body to the British Government, and so imparted the first impulse to the Revolution.

Virginia declared her independence before any of the colonies, and gave the first written Constitution to mankind.

By her instructions her representatives in the General Congress introduced a Resolution to declare the colonies independent States, and the Declaration itself was written by one of her sons.

She furnished to the Confederate States the father of his country,

under whose guidance independence was achieved, and the rights and liberties of each State, it was hoped, perpetually established.

She stood undismayed through the long night of the Revolution, breasting the storm of war and pouring out the blood of her sons like water on almost every battle-field, from the ramparts of Quebec to the sands of Georgia.

By her own unaided efforts the northwestern territory was conquered, whereby the Mississippi, instead of the Ohio River, was recognized as the boundary of the United States by the treaty of peace.

To secure harmony, and as an evidence of her estimate of the value of the union of the States, she ceded to all, for their common benefit, this magnificent region—an empire in itself.

When the Articles of Confederation were shown to be inadequate to secure peace and tranquility at home and respect abroad, Virginia first moved to bring about a more perfect union. At her instance the first assemblage of commissioners took place at Annapolis, which ultimately led to the meeting of the Convention which formed the present Constitution. This instrument itself was in a great measure the production of one of her sons, who has been justly styled "The father of the Constitution." The government created by it was put into operation with her Washington, the father of his country, at its head; her Jefferson, the author of the Declaration of Independence, in his cabinet; her Madison, the great advocate of the Constitution, in the legislative hall.

Under the leading of Virginia statesmen the Revolution of 1798 was brought about, Louisiana was acquired, and the second war of independence was waged.

Throughout the whole progress of the Republic she has never infringed on the rights of any state, nor asked or received an exclusive benefit. On the contrary, she has been the first to vindicate the equality of all the States—the smallest as well as the greatest.

But, claiming no exclusive benefit for her efforts and sacrifices in the common cause, she had a right to look for feelings of fraternity and kindness for her citizens from the citizens of other States, and equality of rights for her citizens with all others; that those for whom she had done so much would abstain from actual aggressions upon her soil, or if they could not be prevented, would show themselves ready and prompt in punishing the aggressors; and that the common government, to the promotion of which she contributed so largely for the purpose of "establishing justice and insuring domestic tranquility," would not, whilst the forms of the Constitution were observed, be so perverted in spirit as to inflict wrong and injustice, and produce universal insecurity.

These reasonable expectations have been grievously disappointed. Owing to a spirit of pharasaical fanaticism prevailing in the North, in reference to the institution of slavery, incited by foreign emissaries and fostered by corrupt political demagogues, in search of power and place, a

feeling has been aroused between the people of the two sections of what was once a common country, which of itself would almost preclude the administration of a united government in harmony.

For the kindly feelings of a kindred people we find substituted distrust, suspicion, and mutual aversion.

For a common pride in the name of American, we find one section even in foreign lands pursuing the other with revilings and reproach.

For the religion of a Divine Redeemer of all, we find a religion of hate against a part; and in all the private relations of life, instead of fraternal regard, a "consuming hate," which has but seldom characterized warring nations. This feeling has prompted a hostile incursion upon our own soil, and an apotheosis of the murderers, who were justly condemned and executed.

It has shown itself in the legislative halls by the passage of laws to obstruct a law of Congress passed in pursuance of a plain provision of the Constitution.

It has been manifested by the industrious circulation of incendiary publications, sanctioned by leading men, occupying the highest stations in the gift of the people, to produce discord and division in our midst, and incite to midnight murder and every imaginable atrocity against an unoffending community.

It has displayed itself in a persistent denial of the equal rights of the citizens of each State to settle with their property in the common territory acquired by the blood and treasure of all.

It is shown in their openly avowed determination to circumscribe the institution of slavery within the territory of the States now recognizing it, the inevitable effect of which would be to fill the present slave-holding States with an ever increasing negro population, resulting in the banishment of our own non-slave-holding population in the first instance, and the eventual surrender of our country to a barbarous race, or, what seems to be desired, an amalgamation with the African.

And it has at last culminated in the election, by a sectional majority of the free States alone, to the first office in the Republic, of the author of the sentiment that there is an "irrepressible conflict" between free and slave labor, and that there must be universal freedom or universal slavery; a sentiment which inculcates, as a necessity of our situation, warfare between the two sections of our country without cessation or intermission until the weaker is reduced to subjection.

In view of this state of things, we are not inclined to rebuke or censure the people of any of our sister States in the South, suffering from injury, goaded by insults, and threatened with such outrages and wrongs, for their bold determination to relieve themselves from such injustice and oppression, by resorting to their ultimate and sovereign right to dissolve the compact which they had formed, and to provide new guards for their future security.

Nor have we any doubt of the right of any State, there being no common umpire between co-equal sovereign States, to judge for itself, on its own responsibility, as to the mode and measure of redress.

The States, each for itself, exercised this sovereign power when they dissolved their connection with the British Empire.

They exercised the same power when nine of the States seceded from the Confederation and adopted the present Constitution, though two States at first rejected it.

The Articles of Confederation stipulated that those Articles should be inviolably observed by every State, and that the Union should be perpetual, and that no alteration should be made unless agreed to by Congress and confirmed by every State.

Notwithstanding this solemn compact, a portion of the States did, without the consent of the others, form a new compact; and there is nothing to show, or by which it can be shown, that this right has been, or can be, diminished so long as the States continue sovereign.

The Confederation was assented to by the Legislature for each State; the Constitution, by the people of each State for such State alone. One is as binding as the other, and no more so.

The Constitution, it is true, established a government, and it operates directly on the individual; the Confederation was a league operating primarily on the States. But each was adopted by the State for itself; in the one case by the Legislature acting for the State; in the other, "by the people, not as individuals composing one nation, but as composing the distinct and independent States to which they respectively belong." The foundation, therefore, on which it was established was *federal*, and the State, in the exercise of the same sovereign authority by which she ratified for herself, may, for herself, abrogate and annul.

The operation of its powers, whilst the State remains in the Confederacy, is *national*; and consequently, a State remaining in the Confederacy and enjoying its benefits cannot, by any mode of procedure, withdraw its citizens from the obligation to obey the Constitution and the laws passed in pursuance thereof.

But, when a State does secede, the Constitution and laws of the United States cease to operate therein. No power is conferred on Congress to enforce them. Such authority was denied to the Congress in the Convention which framed the Constitution, because it would be an act of war of nation against nation—not the exercise of the legitimate power of a government to enforce its laws on those subject to its jurisdiction.

The assumption of such a power would be the assertion of a prerogative claimed by the British Government to legislate for the colonies in all cases whatever; it would constitute of itself a dangerous attack on the rights of the States, and should be promptly repelled.

These principles, resulting from the nature of our system of Confederate States, cannot admit of question in Virginia.

Our people in convention, by their act of ratification, declared and made known that the powers granted under the Constitution being derived from the people of the United States, may be resumed by them whenever they shall be perverted to their injury and oppression.

From what people were these powers derived? Confessedly from the people of each State, acting for themselves. By whom were they to be resumed or taken back? By the people of the State who were then granting them away. Who were to determine whether the powers granted had been perverted to their injury or oppression? Not the whole people of the United States, for there could be no oppression of the whole with their own consent; and it could not have entered into the conception of the convention that the powers granted could not be resumed until the oppressor himself united in such resumption.

They asserted the right to resume in order to guard the people of Virginia, for whom alone the convention could act, against the oppression of an irresponsible and sectional majority, the worst form of oppression with which an angry Providence has ever afflicted humanity.

Whilst, therefore, we regret that any State should, in a matter of common grievance, have determined to act for herself without consulting with her sister States equally aggrieved, we are nevertheless constrained to say that the occasion justifies and loudly calls for action of some kind.

The election of a President, by a sectional majority, as the representative of the principles referred to, clothed with the patronage and power incident to the office, including the authority to appoint all the postmasters and other officers charged with the execution of the laws of the United States, is itself a standing menace to the South—a direct assault upon her institutions—an incentive to robbery and insurrection, requiring from our own immediate local government, in its sovereign character, prompt action to obtain additional guarantees for equality and security in the Union, or to take measures for protection and security without it.

In view, therefore, of the present condition of our country, and the causes of it, we declare almost in the words of our fathers, contained in an address of the freeholders of Botetourt, in February, 1775, to the delegates from Virginia to the Continental Congress, "That we desire no change in our government whilst left to the free enjoyment of our equal privileges secured by the *Constitution*; but, that should a wicked and tyrannical *sectional majority*, under the sanction of the forms of the *Constitution*, persist in acts of injustice and violence towards us, they only must be answerable for the consequences.

"That liberty is so strongly impressed upon our hearts that we cannot think of parting with it but with our lives; that our duty to God, our country, ourselves and our posterity forbids it; we stand, therefore, prepared for every contingency."

*Resolved, therefore*, That in view of the facts set out in the foregoing preamble, it is the opinion of this meeting that a convention of the peo-



ple should be called forthwith ; that the State, in its sovereign character, should consult with the other Southern States, and agree upon such guarantees as in their opinion will secure their equality, tranquility and rights within the Union, and in the event of a failure to obtain such guarantees, to adopt in concert with the other Southern States, *or alone*, such measures as may seem most expedient to protect the rights and insure the safety of the people of Virginia.

And in the event of a change in our relations to the other States being rendered necessary, that the convention so elected should recommend to the people, for their adoption, such alterations in our State constitution as may adapt it to the altered condition of the State and country.

The following Ordinances of *two* Conventions, held upon the soil of Virginia, the one at *Richmond*, April and May, 1861, and the other at *Wheeling*, June, 1861, will give also some idea of the disorder which was about to shake the pillars of the old Commonwealth to their foundations :

#### AN ORDINANCE

To repeal the ratification of the Constitution of the United States of America, by the State of Virginia, and to resume all the rights and powers granted under said Constitution. Adopted by the Convention of Virginia on April 17th, 1861. Richmond, Virginia.

The people of Virginia, in their ratification of the Constitution of the United States of America, adopted by them in convention on the twenty-fifth day of June in the year of our Lord one thousand seven hundred and eighty-eight, having declared that the powers granted under the said Constitution were derived from the people of the United States, and might be resumed whensoever the same should be perverted to their injury and oppression ; and the Federal Government having perverted said powers, not only to the injury of the people of Virginia, but to the oppression of the Southern slaveholding States :

Now, therefore, we the people of Virginia do declare and ordain, that the ordinance adopted by the people of this State in convention on the twenty-fifth day of June in the year of our Lord one thousand seven hundred and eighty-eight, whereby the Constitution of the United States of America was ratified, and all acts of the General Assembly of this State ratifying or adopting amendments to said Constitution, are hereby repealed and abrogated ; that the union between the State of Virginia and the other States under the Constitution aforesaid is hereby dissolved, and that the State of Virginia is in the full possession and exercise of all the rights of sovereignty which belong and appertain to a free and independent State.

And they do further declare, that said Constitution of the United States of America is no longer binding on any of the citizens of this State.

This ordinance shall take effect and be an act of this day, when ratified by a majority of the votes of the people of this State, cast at a poll to be taken thereon on the fourth Thursday in May next, in pursuance of a schedule hereafter to be enacted.

Done in convention, in the city of Richmond, on the seventeenth day of April in the year of our Lord one thousand eight hundred and sixty-one, and in the eighty-fifth year of the Commonwealth of Virginia.

#### A DECLARATION

Of the people of Virginia represented in Convention at the City of Wheeling, Thursday, June 13th, 1861.

The true purpose of all government is to promote the welfare and provide for the protection and security of the governed, and when any form or organization of government proves inadequate for, or subversive of this purpose, it is the right, it is the duty of the latter to alter or abolish it. The Bill of Rights of Virginia, framed in 1776, reaffirmed in 1830, and again in 1851, expressly reserves this right to a majority of her people. The act of the General Assembly, calling the Convention which assembled at Richmond in February last, without the previously expressed consent of such majority, was therefore a usurpation; and the Convention thus called has not only abused the powers nominally entrusted to it, but, with the connivance and active aid of the executive, has usurped and exercised other powers, to the manifest injury of the people, which, if permitted, will inevitably subject them to a military despotism.

The Convention, by its pretended ordinances, has required the people of Virginia to separate from and wage war against the government of the United States, and against the citizens of neighboring States, with whom they have heretofore maintained friendly social and business relations:

It has attempted to subvert the union founded by Washington and his co-patriots in the purer days of the Republic, which has conferred unexampled prosperity upon every class of citizens, and upon every section of the country:

It has attempted to transfer the allegiance of the people to an illegal confederacy of rebellious States, and required their submission to its pretended edicts and decrees:

It has attempted to place the whole military force and military operations of the Commonwealth under the control and direction of such Confederacy, for offensive as well as defensive purposes:

It has, in conjunction with the State Executive, instituted wherever their usurped power extends, a reign of terror, intended to suppress the free expression of the will of the people, making elections a mockery and a fraud:

The same combination, even before the passage of the pretended Ordinance of Secession, instituted war by the seizure and appropriation of the property of the Federal Government, and by organizing and mobilizing

armies, with the avowed purpose of capturing or destroying the Capital of the Union :

They have attempted to bring the allegiance of the people of the United States into direct conflict with their subordinate allegiance to the State, thereby making obedience to their pretended Ordinances, treason against the former.

We, therefore, the delegates here assembled in Convention to devise such measures and take such action as the safety and welfare of the loyal citizens of Virginia may demand, having maturely considered the premises, and viewing with great concern the deplorable condition to which this once happy Commonwealth must be reduced unless some regular, adequate remedy is speedily adopted, and appealing to the Supreme Ruler of the Universe for the rectitude of our intentions, do hereby, in the name and on the behalf of the good people of Virginia, solemnly declare, that the preservation of their dearest rights and liberties, and their security in person and property, imperatively demand the re-organization of the government of the Commonwealth, and that all acts of said Convention and Executive, tending to separate this Commonwealth from the United States, or to levy and carry on war against them, are without authority and void ; and that the offices of all who adhere to the said Convention and Executive, whether legislative, executive, or judicial, are vacated.

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Governor Letcher loved the Union deeply, and his voice was raised for moderation, conciliation, and for peace ; but, when Virginia severed her bonds from the government she had so largely helped to establish, then her loyal Governor stood by her side. Bravely did he fulfill his duty. Every energy was devoted to the cause ; and for nearly three years he controlled the war policy of the State, and was a strong support to the Southern Confederacy. During the war his home was burned, but when hostilities had ceased, and the white dove of peace had settled on the land, Governor Letcher, emancipated from prison, where he had for several months been confined by the Federal authorities, returned to Lexington, and sought to build anew his shattered fortunes. In 1875 he was elected to the House of Delegates, and in 1876, whilst in attendance upon the Assembly, was suddenly stricken with paralysis. He passed peacefully away at Lexington, January 26th, 1884, closing a valuable life, crowned with the love and esteem of his fellow-citizens. A joint resolution of respect to his memory was passed by the

General Assembly, then in session, from which the following is an extract, viz. :

"Through a life-time covering the most eventful period in the history of Virginia, the great powers of his mind and the warm affections of his heart were devoted with constant faithfulness and energy to the service of his State and Country. As a representative of Virginia in the Congress of the United States, as her Governor in the most trying epoch of her history, he won the love and admiration of her people, and a place in that history, where his name will live as long as unswerving honesty in the administration of public trust and great ability, wisdom and patriotism in the discharge of official duty, shall be honored among men."

He left a widow and seven children to mourn his loss.

A portrait of Governor Letcher adorns the State Library at Richmond, Virginia.

## CVIII.

### WILLIAM SMITH.

#### *Governor.*

January 1, 1864, to May 9, 1865.

WE now return to our review of William Smith's life, and find him, on January 1, 1864, entering for the second time upon the administration of civil affairs as Chief Executive of Virginia. His experience of active life as a soldier up to this time had made him familiar with many needs of the military service of his country, and these his fertile genius now rose to meet. Finding that local defense was indispensable at Richmond, the place being often menaced by the enemy, Governor Smith promptly organized two regiments of men exempt from duty by reason of disability, age or non-age, etc., attaching to each regiment a company of cavalry. When the city was threatened afterwards, he assumed the command of these troops, and on several occasions they rendered highly important service. Again Governor Smith realized fully, from personal observation, the great necessity of supplies for the Southern Army, and by his independent and sagacious plans in this behalf, he materially assisted the Confederate commissariat. His measures were eminently successful, and at the close of the war, the Confederacy was indebted to Virginia in the sum of \$300,000, for supplies obtained through the agency of Governor Smith.

Upon the evacuation of Richmond, April 3, 1865, Governor Smith determined to remove the seat of government to Lynchburg, Virginia. Three days after his arrival there \*General Lee surrendered to General Grant. Again attempting to follow the fortunes of the Confederacy, he moved yet farther south, to Danville, Virginia. Here his hopes were shattered,

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\* See Note C.

and he returned to his home, surrendered himself to the Federal authorities and received his parole. After the war he resided in Warrenton, Virginia, and there, for a time, enjoyed the serene pleasures of a green old age. He passed from the arena of human life in this quiet home, having survived his wife, who had been his companion since 1811; but he left several children to perpetuate the memory of the worthy deeds of their distinguished father.

With the close of Governor Smith's second term, drew near, also, the end of the war between the States; a war that did not cease until the battles had numbered 2,261, nor until, for four long years, the South had been drenched in blood. But, with the end came peace, and only such peace as could be bought at such a price; the peace of calm after storm, of consent after conflict; the peace of forgetfulness and forgiveness; the peace which the fathers bought and which the sons had only for a season chased from the Ark of their Covenant—the hallowed American Union.

## CIX.

### FRANCIS H. PIERPOINT.

*Governor.*

May 9, 1865, to April 16, 1868.

FRANCIS H. PIERPOINT, descended from early settlers of New York and Central Pennsylvania, who had migrated to Virginia, was born January 25th, 1814, in Monongalia County, Virginia. His father was a farmer and also conducted a tannery, in both of which occupations he was assisted by his son, Francis. Young Pierpoint's educational advantages were at this time very limited, but in June, 1835, he entered Alleghany College, at Meadville, Pennsylvania, from whence he graduated with the degree of Bachelor of Arts, in September, 1839. He now taught school until 1841, when he removed to Mississippi, still continuing a teacher. In 1842 he returned to Virginia, and having studiously applied himself, during his hours of leisure, to the acquisition of the principles of law, he was now admitted a practitioner in his chosen profession. From 1848, for a period of eight years, he served as the local counsel of the Baltimore and Ohio Railroad Company, for the Counties of Marion and Taylor. In 1853 he engaged in mining and shipping coal by rail, and a little later, in the manufacture of fire bricks. He early took an active interest in politics, and became prominent in his section as an uncompromising opponent of slavery.

When the Ordinance of Secession was passed, April 17, 1861, by the State Convention at Richmond, it was ratified by the people of Eastern Virginia, whilst the vote in Western Virginia was largely against it. In this anomalous attitude of affairs, Mr. Pierpoint conceived the idea of a "restored government," and at his suggestion a Convention *en masse*

was held at Wheeling. This led, finally, to the separation of West Virginia from the parent State, and the organization of an independent State government, upon which was engrafted the intention of the people to maintain the rights of the Commonwealth *in* the Union. Francis H. Pierpoint was chosen "Provisional Governor" of this "restored government," by Convention, and he immediately organized twelve Regiments of Militia to serve in the United States Army. Subsequently a State Constitution was framed, which was ratified by the people of West Virginia, on May 3, 1862, and Governor Pierpoint was elected Governor, to fill the remaining portion of the term of Governor Letcher, as West Virginia had declared that the functions of all officers in the State of Virginia who adhered to the Southern Confederacy were suspended, and the offices vacated.

West Virginia was admitted as a State into the Union on June 20, 1863, and Governor Pierpoint, who had been elected in the month of May for the term of three years commencing January 1, 1864, now removed the seat of government to Alexandria, Virginia. At his request a Convention was called to pass an Ordinance of general slave emancipation, and this, on February 22, 1864 was consummated in an Ordinance abolishing slavery in the State forever.

On the 25th of May, 1865, Governor Pierpoint removed his seat of Government to Richmond, the capital of Virginia. Here he addressed himself to the tremendous difficulties of the situation, but he clearly had the good of the people at heart, and, by every effort and influence, he struggled, and not in vain, to mitigate the trials of those by whom he was surrounded. He continued in office beyond the period of his term, which expired January 1, 1868, and held until April 16, 1868, when he was succeeded by General H. H. Wells, appointed Provisional Governor by General John M. Schofield, commanding the Military Department of Virginia. Governor Pierpoint now retired to private life.

As an interesting picture of political affairs in Virginia at this time, the following Resolutions of the General Assembly are here quoted :



## JOINT RESOLUTIONS

Requesting the President of the United States to grant a general Amnesty to the Citizens of Virginia. Adopted December 15, 1865.

Whereas, the people of Virginia are invited by the President of the United States to unite, at this time, in giving thanks to Almighty God for the return of peace and the restoration of the ancient relations between the government of the United States and themselves—relations which it is desirable should be universal, and without exception of individuals; and whereas, observation and experience have impressed the members of this General Assembly with the conviction that the more liberal exercise of executive clemency is the surest and speediest means of overcoming estrangements and reawakening those sentiments of attachment and devotion in which a government, based on the consent of the governed, will always find its best support and strongest defence: and whereas, in the stricken and prostrate condition of this Commonwealth, it is of vital importance that all of her citizens (who, from experience in public affairs and from the influence they command, are capable of aiding in her resuscitation) should be relieved from such disabilities as impair their capacity for usefulness: Therefore,

Be it resolved by the General Assembly, That the President be earnestly requested to grant a general pardon to all citizens of Virginia requiring executive clemency under existing laws of the United States.

## JOINT RESOLUTIONS

Approving the Policy of the President of the United States, in reference to the Reconstruction of the Union. Adopted February 6, 1866.

1. Resolved by the General Assembly of Virginia, That the people of this Commonwealth, and their representatives here assembled, cordially approve the policy pursued by Andrew Johnson, President of the United States, in the reorganization of the Union. We accept the result of the late contest, and do not desire to renew what has been so conclusively determined; nor do we mean to permit any one, subject to our control, to attempt its renewal, or to violate any of our obligations to the United States Government. We mean to co-operate in the wise, firm, and just policy adopted by the President, with all the energy and power we can devote to that object.

2. That the above declaration expresses the sentiments and purposes of all our people; and we denounce the efforts of those who represent our views and intentions to be different, as cruel and criminal assaults on our character and our interests. It is one of the misfortunes of our present political condition, that we have among us persons whose interests are temporarily promoted by such false representations; but we rely on the intelligence and integrity of those who wield the powers of the United States Government, for our safeguard against such malign influences.

3. That involuntary servitude, except for crime, is abolished, and ought not to be re-established; and that the negro race among us should be treated with justice, humanity, and good faith; and every means that the wisdom of the Legislature can devise, should be used to make them useful and intelligent members of society.

4. That Virginia will not voluntarily consent to change the adjustment of political power fixed by the Constitution of the United States; and to constrain her to do so in her present prostrate and helpless condition, with no voice in the councils of the nation, would be an unjustifiable breach of faith; and that her earnest thanks are due to the President for the firm stand he has taken against amendments of the Constitution, forced through in the present condition of affairs.

5. That a committee of eight be appointed, five on the part of this House and three on the part of the Senate, whose duty it shall be to proceed to Washington City, and present the foregoing resolutions to the President of the United States.

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This experience in the history of the "Old Dominion," may properly be termed "the transition period," when the ruin and chaos of unsuccessful War had not yet crystallized into the nobler forms of Peace.

## CX.

### HENRY H. WELLS.

#### *Provisional Governor.*

April 16, 1868, to April 21, 1869.

HENRY H. WELLS was born in Rochester, New York, September 17, 1823. He was educated at the Romeo Academy in Michigan, and adopting law as his profession he was admitted to the bar in Detroit. Here, he was a successful practitioner from 1846 to 1861, serving in the Michigan Legislature from 1854 to 1856.

Upon the breaking out of the late civil war, Mr. Wells entered the volunteer service of the United States Army, and rose to the distinction of Brigadier-General. Having resigned from the army, he located in 1865 in Richmond, Virginia, and resumed the practice of law. Here he was appointed, April 16, 1868, by General John M. Schofield, United States Army, commanding the First Military District of Virginia, Provisional Governor of Virginia. He held this station until April 21, 1869, when he resigned, and Gilbert C. Walker, Governor-elect of the state, by popular vote, was appointed in his stead, by General E. R. S. Canby, United States Army, then commanding the First Military District of Virginia. General Wells was soon after appointed United States Attorney for the Eastern District of Virginia, which position he held until 1872, when he resigned and resumed the practice of law. In 1875 he removed to Washington City, and in September of that year was appointed and entered upon the duties of United States Attorney for the District of Columbia. He held this post until 1879.

The period when General Wells was Governor of Virginia was an exceptional era in the chequered history of the state ;

these were not days of order and administration under settled and regular provisions of law enacted by chosen law-makers,—but they were days of contest, struggle, and strife, of suspicion and misunderstanding. Notwithstanding all these untoward circumstances, the people were not defrauded of their just rights or of their property with the knowledge or consent of Governor Wells, and especially, were not disturbed in any way by force or disorder. Their substance was not wasted by improvident expenditures, and many unrecorded kindnesses were extended to them by their military Governor. Only those who have lived through such an ordeal as Virginia then experienced, when

“ Hope for a season bade the world farewell,”

can estimate the terrors of—what might have been.

But a common, noble past is a strong constituent in American brotherhood; and in looking back we feel that the memory of the surrender at Yorktown lessened the sting of the surrender at Appomatox. The glorious sun of July 4th, which for so long had warmed the great national heart, and burned into it a love of unity and independence, now touched the tear-drops of a Fallen Cause, and turned these emblems of a weeping night into the prismatic spectrum of a better morrow.

# CXI.

GILBERT C. WALKER.

*Provisional Governor.*

April 21, 1869, to January 1, 1870.

*Governor.*

January 1, 1870, to January 1, 1874.

GILBERT CARLETON WALKER was born in Binghamton, New York, August 1, 1832. Enjoying early tuition at Binghamton Academy, he entered first, Williams College, Massachusetts, and subsequently Hamilton College, New York, graduating from the latter institution in July, 1854. Having adopted law as his profession, he was admitted to the bar in September, 1855, and commenced practice in Oswego, New York. He at once entered the arena of politics, serving in 1858 as a member of the State Democratic Convention. In 1859 he removed to Chicago, Illinois, continuing the practice of his profession and participating also in the political questions of the day. In 1864 he moved to Virginia and located in Norfolk, where he soon became the president of a bank, "The Exchange National," and held also, there, other positions of honor and trust. Subsequently he removed his residence to Richmond, Virginia, and in January, 1869, was elected on the Liberal Republican ticket, Governor of Virginia, by a majority of 18,000 votes. On the 21st of April following he was appointed by General Canby, Provisional Governor of Virginia, to succeed General Henry H. Wells, the State not having then been re-admitted into the Union. He thus acted until January 1, 1870, when he entered upon the regular gubernatorial term (under the State Constitution of 1869) of four years, to which he had been duly elected.

On January 1, 1874, he was succeeded by General James Lawson Kemper as Governor.

In 1875 Governor Walker was elected to the Forty-fourth Congress from the Third District of Virginia, as a Conservative, and served as chairman of the Committee on Education and Labor. In 1877 he was re-elected to Congress as a Democrat, and served on the Committee on the Revision of the Laws of the United States.

In 1881 Governor Walker removed to his native place, Binghamton, New York, but later, settled in New York City, enjoying there a lucrative practice. His gifts were many, and his prepossessing appearance, his gracious manner, and varied acquirements made him an acceptable and persuasive speaker before literary and scientific bodies, as well as an able debater in the field of law and politics.

The following Acts of the General Assembly of Virginia occurred during Governor Walker's provisional administration. They are a part of the story of Reconstruction days :

#### AN ACT

To ratify the Joint Resolution of Congress, passed June 16, 1866, proposing an amendment to the Constitution of the United States of America.

Approved October 8, 1869.

Whereas, it is provided by the Constitution of the United States of America, that Congress may, whenever two thirds of both Houses deem it necessary, propose amendments to the same, to be ratified by the Legislatures of three fourths of the several States, or by Conventions therein, as the one or the other mode may be proposed by Congress ;

And, whereas, by the Congress of the United States, on the sixteenth day of June, one thousand eight hundred and sixty-six, the following joint resolution was adopted :

"Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two thirds of both Houses concurring), That the following Article be proposed to the Legislatures of the several States, as an amendment to the Constitution of the United States, which, when ratified by three fourths of said Legislatures, shall be valid as part of the Constitution, namely :

#### ARTICLE XIV.

"Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any

law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws."

"Section 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the Members of the Legislature thereof, is denied to any of the male inhabitants of such State being twenty-one years of age and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State."

"Section 3. No person shall be a Senator, or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath as a Member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid and comfort to the enemies thereof; but Congress may, by a vote of two thirds of each House, remove such disability."

"Section 4. The validity of the public debt of the United States authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection and rebellion, shall not be questioned; but neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations, or claims, shall be held illegal and void."

"Section 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this Article."

Therefore, be it enacted by the General Assembly of Virginia, That the aforesaid amendment to the Constitution of the United States of America be, and the same is, hereby ratified.

#### AN ACT

To ratify the Joint Resolution of Congress, passed February 27, 1869, proposing an Amendment to the Constitution of the United States. Approved October 8, 1869.

Whereas, it is provided by the Constitution of the United States of America, that Congress may, whenever two thirds of both Houses deem it

necessary, propose amendments to the same, to be ratified by the Legislatures of three fourths of the several States, or by conventions therein, as the one or the other mode may be proposed by Congress.

And, whereas, by the Fortieth Congress of the United States, at the third session thereof, begun and held at the City of Washington on Monday the seventh day of December, eighteen hundred and sixty-eight, it was

“Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled (two thirds of both Houses concurring), That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three fourths of said Legislatures, shall be valid as part of the Constitution, namely:

#### ARTICLE XV.

“Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude.

“Section 2. The Congress shall have power to enforce this Article by appropriate legislation.”

Therefore, be it enacted by the General Assembly of Virginia, That the aforesaid amendment to the Constitution of the United States be, and the same is, hereby ratified.

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See Note D, Appendix, on “Reconstruction.”



## CXII.

### JAMES LAWSON KEMPER.

*Governor.*

January 1, 1874, to January 1, 1878.

JAMES LAWSON KEMPER was descended from one of the families which arrived in Virginia from Oldenburg, Germany, in April, 1714. These Germans left their native land for the free exercise of their religion, "The Reformed Calvinistic Church," and finally settled at a place they called "Germantown," about eight miles from what is now, Warrenton, in Fauquier County, Virginia.

Mr. Kemper was born in Madison County, Virginia, in 1824. After early tuition in primary schools in his native county he entered Washington College, from whence he graduated with the degree of Master of Arts. Subsequently he studied law. In 1847 he was commissioned Captain in the volunteer service of the United States, by President James K. Polk, and joined General Zachary Taylor's army of occupation in Mexico, just after the battle of Buena Vista, and thus failed in the desired honor of active service in the Mexican War.

Returning to his home in Virginia, Captain Kemper at once entered political life, and was sent by his native county to represent it in the House of Delegates, where he remained for ten years, serving two years as Speaker, and for a long period was the Chairman of the Committee on Military affairs. On the 2d of May, 1861, he was commissioned by the Virginia Convention, on the nomination of Governor Letcher, Colonel of Virginia Volunteers, C. S. A., and assigned to the command of the 7th Regiment of Infantry, which command he assumed at Manassas, Virginia. From this time on, he participated in the most sanguinary operations of the war.

Immediately after the battle of Williamsburg, May 5, 1862, where, with his 7th Regiment, he had been in the hottest of the fight for nine successive hours, Colonel Kemper was promoted to the rank of Brigadier-General. Engaging now constantly in active service in the field, he passed through many bloody battles, until at Gettysburg he received a desperate wound. This, for a period, rendered him unfit for field duty, but, when partially recovered, he was assigned to the important command of the local forces in and around Richmond, the oft-beleaguered Capital of the Confederacy.

On March 1, 1864, General Kemper was commissioned Major-General. Until the evacuation of Richmond, General Kemper remained in command of the forces protecting that city. Upon the close of the war he returned to his home in Madison County, and resumed the practice of law. In 1873 he was elected Governor of Virginia, and assumed the duties of this office January 1, 1874. His administration was highly successful, and the old State turned once more to her Chief Executive as to one whom the people delighted to honor.

Upon the expiration of his term Governor Kemper retired to his home in Madison County, carrying the honor and affection of his grateful fellow-citizens with him.

The following Resolutions passed by the General Assembly during the early part of Governor Kemper's administration, will show the sentiments then prevalent in the state concerning the celebrated Civil Rights Bill:

#### JOINT RESOLUTIONS

Reaffirming the Third Resolution of the Conservative Platform of 1873, and Protesting against the passage of the Civil Rights Bill, now pending in the Congress of the United States. Agreed to January 5, 1874.

Resolved by the General Assembly of Virginia, That the sentiments embodied in the third resolution of the platform of the Conservative party of Virginia in the late election, ratified as they have been by an unprecedented popular majority, and commended to the favorable consideration of the General Assembly by the Governor of Virginia in his inaugural message, be, and the same are hereby reaffirmed; and this General Assembly doth declare, that there is no purpose upon their part, or upon the part of the people they represent, to cherish captious hostility to the present administration of the Federal Government, but that they will judge it

impartially by its official acts, and will cordially co-operate in every measure of the administration which may be beneficent in its design and calculated to promote the welfare of the people and cultivate sentiments of good will between the different sections of the Union.

2. That this General Assembly recognize the Fourteenth Amendment to the Constitution of the United States as a part of that instrument, and desire in good faith to abide by its provisions as expounded by the Supreme Court of the United States. That august tribunal recently held, after the most mature consideration, that it is only the privileges and immunities of the citizen of the United States that are placed by this clause under the protection of the Constitution, and that the privileges and immunities of the citizen of the State, "whatever they may be, are not intended to have any additional protection by this paragraph of the amendment," and that the "entire domain of the privileges and immunities of citizens of the State, as above defined, lay within the constitutional and legislative power of the States, and without that of the Federal Government."

3. That this amendment, thus construed by the highest judicial tribunal of the country, is the supreme law of the land—a law for rulers and people—and should be obeyed and respected by all the co-ordinate departments of the government.

4. That the bill now before Congress, known as the Civil Rights Bill, is in violation of this amendment as interpreted by the Supreme Court of the United States; is an infringement on the constitutional and legislative powers of the States; is sectional in its operation, and injurious alike to the white and colored population of the Southern States; and that its enforced application in these States will prove destructive of their systems of education, arrest the enlightenment of the colored population (in whose improvement the people of Virginia feel a lively interest), produce continual irritation between the races, counteract the pacification and development now happily progressing, repel immigration, greatly augment emigration, reopen wounds now almost healed, engender new political asperities, and paralyze the power and influence of the State Government for duly controlling and promoting domestic interests and preserving internal harmony.

5. That the people of Virginia, through their representatives, enter their earnest and solemn protest against this bill, and instruct their Senators and request their Representatives in the Congress of the United States, firmly, but respectfully, to oppose its passage, not only for the reasons herein expressed, but as a measure calculated to arrest the growing sentiments of concord and harmony between the Northern and Southern States of the Union.

6. That the Governor cause a copy of these resolutions to be forwarded to each of our Senators and Representatives in the Congress of the United States, with the request that they present the same in their respective bodies.

# CXIII.

## FREDERICK W. M. HOLLIDAY.

### *Governor.*

January 1, 1878, to January 1, 1882.

FREDERICK WILLIAM MACKEY HOLLIDAY, of staunch Scotch-Irish lineage, is descended directly from William Holliday, who came from the north of Ireland to America with his parents, at the age of fourteen. They settled first in Pennsylvania, but afterwards located permanently in Winchester, Virginia. Here the family attained prominence and influence in the social and business world of that region.

Mr. Holliday, the subject of this sketch, son of Dr. Richard J. M. Holliday, was born in Winchester, Virginia, February 22, 1828. After enjoying preparatory instruction at the Academy of his native place, he entered Yale College, from which institution he graduated with distinguished honors in 1847. Adopting the legal profession, he entered the University of Virginia, and in one session graduated in law and other high branches of education. His gifts as a speaker were recognized in his selection as "Final Orator" of the Jefferson Society, and he returned from college life well prepared to enter the arena of legal, literary, and political debate. Within a year after coming to the bar he was elected Commonwealth's Attorney for the Courts of Winchester and County of Frederick, and continued to hold this position by successive re-election until the breaking out of the late civil war. He went with the first troops to Harper's Ferry, and on his return from that historic prelude to the great drama about to be enacted, he assumed command of a Company of Infantry raised in his native place. Captain Holliday devoted himself now to the thorough discipline and drill of his company, which, for a time, was employed in detached

service, but was subsequently assigned to the 33d Virginia Infantry, "Stonewall Brigade." Captain Holliday, by successive promotion, attained the command of the Regiment. He participated in all the encounters in which his command was engaged, including the sanguinary battles of McDowell's, Winchester, Port Republic, and those around Richmond, without being absent from duty for a single day, until August 9, 1862, when at the battle of Cedar Run, or Slaughter's Mountain, he lost his right arm. This injury unfitting him for service in the field, he was elected to the Confederate Congress, of which body he remained a member until the close of the war.

Colonel Holliday now returned to Winchester, and resuming his former profession took a high rank at the bar. Enjoying from this time on, many positions of confidence and honor, he was finally elected Governor of Virginia, and entered upon the duties of the office January 1, 1878. His public acts during his term are chiefly expressed in his various state papers, and his faithful administration of the affairs of Virginia in a season of peculiar trial, reflects great credit upon his purity as an Executive, and upon his unfaltering devotion to the honor and glory of his state. To a sound and broad education he added personal ability of a high order, and the most unflinching intellectual and moral courage. He had an exalted standard of public life, and his services in the cause of the State debt, rendered at every risk of political advancement, specially distinguished his course as Governor of Virginia.

Governor Holliday has been twice married, but no children survive by either marriage. Since the expiration of his gubernatorial term his time has been chiefly devoted to foreign travel, embellishing thereby a mind already stored with unusual literary attainments.

Among Governor Holliday's published addresses are the following :

"Oration before the Library Company and citizens of Winchester, Virginia, July 4, 1850."

"Principle and Practice, an address before the Winchester Library Company, April 14, 1851."

“Oration before the United Fire Department and citizens of Winchester, Virginia, July 4, 1851.”

“In Memoriam—General Robert E. Lee—Ceremonies at Winchester, Virginia, January 19, 1871.”

“The Higher Education, the Hope of American Republicanism, an address before the Society of the Alumni of the University of Virginia, June 29, 1876.”

“Welcome Address, Yorktown, Virginia, October 19, 1881, by appointment of the Commission of the Congress of the United States for the Centennial Celebration.”

## CXIV.

### WILLIAM EWAN CAMERON.

*Governor.*

January 1, 1882, to January 1, 1886.

WILLIAM EWAN CAMERON, son of Walker Anderson Cameron and Elizabeth Harrison Walker Cameron, was born in Petersburg, Virginia, November 29, 1842. According to tradition, the family is descended from the Scottish chieftain of the clan Cameron, Sir Ewan Lochiel, whose prowess is celebrated in song as well as history.

Young Cameron was early thrown upon his own resources by the death of his parents, and at the age of sixteen he went West in pursuit of fortune. Upon the breaking out of the late civil war, he left St. Louis, Missouri, and returned to his native state. He enlisted as a private in Company A, 12th Regiment, Virginia Volunteers. His soldierly merit was soon acknowledged, and by successive promotions he attained the rank of Brigade Inspector. He served throughout the war, was several times severely wounded, and finally surrendered at Appomattox Court House, with the rank of Captain.

From this time, he devoted his talents principally to journalism, being connected with the editorial staff of the "Daily News," of Petersburg, Virginia, and afterwards with "The Index and Appeal," of the same city. He then edited the "Norfolk Virginian," but returned to Petersburg and took charge of the "Index," which he conducted until 1870, when he became editor of the "Richmond Whig." In 1872 Captain Cameron assumed control of the "Richmond Enquirer," which he conducted until 1873. In 1876 he was elected Mayor of Petersburg, Virginia, and thus served by four successive elections, until nominated as Governor of Virginia. In 1881

Captain Cameron was elected to this responsible office, and entered upon its duties January 1, 1882, for the period of four years.

Governor Cameron was a vigorous writer and an effective speaker, and as an able Executive his administration was highly satisfactory to his constituents.

Among the Acts of the General Assembly, during his term, was the abolition of the "whipping-post," a section of the ancient criminal code peculiarly obnoxious to evil-doers, as well as offensive to the sentiments of advancing civilization.

This Act, approved April 21, 1882, says:

"And be it further enacted, that Section twenty-nine, Chapter ten, and Section twelve, Chapter twenty-five of the Criminal Code of eighteen hundred and seventy-eight, and all other Acts and parts of Acts, so far as they relate to punishment by stripes, be and the same are hereby repealed."

Also, an Act was passed, approved April 21, 1882, giving the consent of the State of Virginia for the purchase, by the United States, of a tract of land at Yorktown, for the purpose of the erection thereon, by the United States, of a monument to commemorate the surrender of Lord Cornwallis and his forces, to the allied army commanded by General George Washington, in October, 1781.



# CXV.

## FITZHUGH LEE.

*Governor.*

January 1, 1886, to January 1, 1890.

FITZHUGH LEE is the third of this distinguished family whose name is enrolled upon the list of Virginia's chief executives, viz.: Thomas Lee, President of the Council, 1749; Henry Lee, Governor, 1791, and the subject of this sketch, who assumed the duties of this high office, January 1, 1886.

Fitzhugh Lee was born at "Clermont," Fairfax County, Virginia, November 19, 1835, being the son of Sydney Smith Lee and Nannie Mason Lee; having Governor Henry Lee as grandfather on the paternal, and George Mason as great-grandfather on the maternal side.

At the age of sixteen, Fitzhugh Lee was appointed a cadet at West Point, from which institution he graduated with distinction, and was commissioned Second Lieutenant in the famous old Second Cavalry, of which Albert Sidney Johnston was Colonel. Lieutenant Lee soon distinguished himself as a disciplinarian, and later, won the admiration of his comrades on the frontier of Texas, by his gallantry in various fights with the Indians. He was the Second Lieutenant of Kirby Smith's Company, and when that company joined the celebrated and successful Wichita expedition under Van Dorn, Lee was selected by Van Dorn as his Adjutant. In the battle of May 13, 1859, between six companies of his regiment and a large force of Comanche Indians, he was chosen to command a picked body that charged on foot the thick jungle, in which the Indians had taken refuge. Lieutenant Lee fell, towards the end of the fight, pierced through the lungs with an arrow; he was carried out on the prairie,

and borne for 200 miles in a horse litter, and his life for weeks was despaired of.

General Scott, subsequently, in published orders, says: "Major Van Dorn notices the conspicuous gallantry and energy of Second Lieutenant Fitzhugh Lee, Adjutant of the expedition, who was dangerously wounded." On the 15th January, 1860, he is again mentioned in orders by General Scott as having (in command of a portion of his company) had another fight with the Indians, in which his rapid pursuit, recovery of stolen property, and personal combat with one of the chiefs, are all highly commended. The spirit of "Light-Horse Harry" certainly showed itself now in his young grandson.

In May, 1860, Fitzhugh Lee was appointed instructor of Cavalry at West Point, a very complimentary detail, and it was while fulfilling the duties of this post that the breaking out of the late civil war found him. He now resigned his position in the United States Army, with pangs known only to the truly loyal in a case of divided duty, and was first assigned in the Confederate States Army, as Adjutant-General to General R. S. Ewell. He served here in the first battle of Manassas, and after that was made Lieutenant-Colonel of the First Virginia Cavalry. From this time on, "Fitz Lee" was so identified with the Cavalry of the Army of Northern Virginia that it would take a history of this branch of the service to narrate his operations. Suffice it to say, that he gathered honors as the combat grew, and in May, 1863, shortly after the battle of Chancellorsville, Virginia, we find his uncle, the Commanding General, Robert E. Lee, thus writing to him:

"Your admirable conduct, devotion to the cause of your country, and devotion to duty, fill me with pleasure. I hope you will soon see her efforts for independence crowned with success, and long live to enjoy the affection and gratitude of your country."

In the latter part of 1863, Fitzhugh Lee was placed in command of a division of Cavalry, and in the spring of 1865 he was by order of the Commanding General placed in com-

mand of the Cavalry Corps of the army of Northern Virginia. He was one of the three Corps Commanders who, with General R. E. Lee, composed the Council of War just before the surrender.

After that event, General Fitzhugh Lee retired to his farm in Stafford County, Virginia, and accepting the situation of defeat, amidst the desolation around, turned his attention to the milder arts of peace.

His hold upon the affections of the people of Virginia was thus deepened, for passing together through this period of trial—sharper than the iron hail of battle—they became doubly united to him through common suffering and disaster. They lost no opportunity to do him honor, and his noble desire to “bury the past” strongly appealed to the better judgment of those who, with that past, had much to bury.

At the Yorktown Centennial, General Fitzhugh Lee commanded the Virginia troops, and received an ovation equal to that accorded to the President of the United States, or any of the distinguished soldiers and civilians present.

At the inaugural of President Cleveland, on the 4th March, 1885, as General Lee rode up Pennsylvania Avenue, Washington, D. C., at the head of the Division he commanded, he was greeted everywhere with cheers and the waving of handkerchiefs, and unconsciously evoked an enthusiasm which must have warmed his soldier heart.

Again, when he served on General Hancock’s staff at the funeral of General Grant, he met the same fervid and flattering greeting.\*

No wonder was it then that this favorite of the people was, in 1885, elected Governor of Virginia. He assumed the duties of the office, January 1, 1886, and his administration

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\* Major Courtland H. Smith (to whom this book is dedicated) as Assistant Adjutant-General, with the rank of Major, serving on the staff of the Brigadier-General commanding the First Brigade Virginia Volunteers, was upon the staff of General Fitzhugh Lee at the unveiling of the Yorktown Monument; the celebration of the completion of the Washington Monument, at Washington, D. C., and at the inauguration of President Cleveland, March 4, 1885; he was also Aide upon General Hancock’s staff at General Grant’s funeral—all important and imposing occasions.

Major Smith was Mayor of Alexandria, Virginia, in 1879, and in 1880 funded one million dollars of the City’s debt. His picture is engraved upon the bonds of the new issue. He was prominent in city and state politics, and widely beloved for his noble and generous nature.

was most successful, giving, as Chief Executive, satisfaction as sound and abiding, as had been the glory he had won upon the bloody field of battle.

Among the Acts of the General Assembly during Governor Lee's term may be quoted the following, as touching an important legal question decided by the Supreme Court of the United States, December 5, 1887. (See United States Reports, Vol. 123, Page 443. October Term, 1887.)

#### JOINT RESOLUTION

- Extending thanks of General Assembly to R. A. Ayers, Attorney-General, and others, for defence of the State, etc. Agreed to December 19, 1887.

“Resolved (the House of Delegates concurring), That the thanks of this General Assembly are extended to the Honorable Rufus A. Ayers, Attorney-General of the State; John Scott, Attorney for the Commonwealth of Fauquier County; and J. B. McCabe, Commonwealth's Attorney for the County of Loudoun, for the firm stand assumed by them for having the validity tested of the late order of the United States Court for the Eastern District of Virginia, made by the Honorable Hugh L. Bond, Judge of the Circuit, fining and imprisoning them for alleged contempt of Court while engaged in the legitimate exercise of their official duties imposed by law for the enforcement and collection of the taxes due this Commonwealth.

Resolved, That they are congratulated for the course adopted by them, which, although having subjected them to temporary incarceration in jail, so far from being a subject of mortification and disgrace, was a position of honor and distinction, and they are further to be congratulated and held up to approval and endorsement in having brought about a decision of the Supreme Court of the United States, which finally settles the question of the power and authority of the Federal Judiciary over the States of this Union, in accordance with the Constitution of the United States and the laws of the land.

Resolved, That the Governor of this Commonwealth be requested to communicate the passage of the above Resolutions to the State officials above named, and cause a copy to be transmitted to them with such remarks as he may deem pertinent.”

General Fitzhugh Lee married Miss Ellen Fowle, of Alexandria, Virginia, and has a large and interesting family.

# CXVI.

PHILIP W. McKINNEY.

*Governor.*

January 1, 1890, to January 1, 1894.

PHILIP W. McKINNEY, son of Charles and Martha Guarant McKinney, was born in Buckingham County, Virginia, March 17, 1832. His early school days were passed in his native county, but his higher education was pursued first at Hampden Sidney College, whence he graduated with distinction; and later, at Washington and Lee University, where he made the study of law a specialty. After leaving the University, he entered immediately upon the practice of his profession.

In April, 1861, he entered the Confederate States Army as Captain of Company K, 4th Virginia Cavalry, and was with that regiment in all of its gallant service, until incapacitated for the field by wounds received in 1863, at Brandy Station, Virginia. After this he performed local duty for a year at Danville, and then took his seat as a member of the General Assembly of Virginia, where he served until the close of the war. Since that time he has been one of the most prominent members of the bar in Virginia. He has filled the office of prosecuting attorney for several terms, has been three times elector on the Democratic Presidential ticket for the fourth district in Virginia; was elector at large in 1884; in 1881 was the Democratic nominee for Attorney-General, and in 1885 was a candidate for nomination for Governor of Virginia, receiving among the several candidates the next highest vote to that by which Governor Lee was nominated.

In 1889, Mr. McKinney was elected Governor of Virginia for the term of four years, beginning January 1, 1890.

Governor McKinney has been twice married, and has two

children. His first wife, Miss Nannie Christian, died leaving one son, Robert C., when Mr. McKinney married, secondly, Miss Annie Lyle, of Farmville, Virginia.

Governor McKinney's period of administration has been of special interest in the history of the Commonwealth, embracing as it does the settlement of the question of the state debt—a question which for several years had agitated the public mind in Virginia to a very serious extent.

In developing the internal resources of the state, Virginia, as far back as 1820, resorted to the policy of building her canals, railroads, and turnpikes with money borrowed upon her own credit. For this, she in return issued her bonds, promising to pay six per cent. per annum until the principal was returned. Virginia kept her promise faithfully until the outbreak of the late civil war, when she, whose word was her bond and whose bond was as good as gold, became hemmed in by a circle of fire from the outer world, and was the prey of the devastation and rapine of war within her borders. Her creditors at the North and in Europe beheld her torn and bleeding, but they awaited the hour when, true to herself, she would redeem her pledges.

To complicate the issue, the territory of Virginia had during the war been dismembered, and fully one third of her fair domain erected into a separate state, known as West Virginia. This portion of the state had participated in borrowing the money and in sharing the benefits with which Virginia was charged, and it seemed but reasonable that (though subsequently in altered relations to the Union) West Virginia's actual and honorable indebtedness should be unchanged to the creditors of Virginia.

At an extra session of the General Assembly, held at the City of Wheeling, July 1st, 1861, an Act was passed, July 26, 1861, authorizing the executive to borrow money on the credit of the state, and "as security for any such loan or loans, certificates of debt or bonds of the state, irredeemable for any period not greater than thirty-four years, may be issued, and the revenue and property of the state, or any part of either, may be pledged for their redemption." This is

ample evidence of the participation of this portion of Virginia in borrowing money upon state credit.

In 1871, the principal of the debt of Virginia, with its unpaid and overdue interest, amounted to the sum of about \$45,000,000.

Of the legislation, litigation, and political divisions in the state growing out of the settlement of this debt, time fails to tell, but its final adjustment was accomplished during the administration of Governor McKinney, as will be seen by the following, viz.:

#### AN ACT

To provide for the settlement of the public debt of Virginia not funded under the provisions of an Act entitled "An Act to ascertain and declare Virginia's equitable share of the debt created before and actually existing at the time of the partition of her territory and resources, and to provide for the issuance of bonds covering the same, and the regular and prompt payment of the interest thereon," approved February 14, 1882.

Approved February 20, 1892.

Whereas, by a joint resolution of the General Assembly of the State of Virginia, adopted on the third day of March, eighteen hundred and ninety, a commission was appointed on the part of Virginia to receive propositions for funding the debt of the State not funded under the Act known as the "Riddleberger Bill," approved February fourteenth, eighteen hundred and eighty-two, from a properly constituted representative of her creditors; and

Whereas, said Virginia Debt Commission has submitted a report to the General Assembly, wherein it appears that under a certain agreement, dated May twelfth, eighteen hundred and ninety, lodged with the Central Trust Company of New York, Frederick P. Olcott, William L. Bull, Henry Budge, Charles D. Dickey, Jr., Hugh R. Garden, and John Gill, constituting a committee for certain of the creditors of Virginia, called the "Bondholders' Committee," have proposed to said commission to surrender to the State in bulk not less than twenty-three million of dollars of the public debt, unfunded under said Act approved February fourteenth, eighteen hundred and eighty-two, in exchange for an issue of new bonds, as hereinafter specified, the same to be apportioned between the several classes of creditors by a tribunal which the said creditors have themselves appointed; and that, in pursuance of said proposal, an agreement has been entered into unanimously between the said commission and the said bondholders' committee, subject to approval by the General Assembly, whereby in exchange for the said unsettled obligations of the State held by the public, which were issued prior to February fourteenth, eighteen

hundred and eighty-two (exclusive of evidences of debt held by the public institutions of the Commonwealth pursuant to law and by the United States), together with the interest thereon to July first, eighteen hundred and ninety-one, inclusive, aggregating about twenty-eight million of dollars, there shall be issued nineteen million of dollars of new bonds, dated July first, eighteen hundred and ninety-one, and maturing one hundred years from said date, with interest thereon at the rate of two per centum per annum for ten years from said first day of July, eighteen hundred and ninety-one, and three per centum per annum for ninety years thereafter to the date of maturity, said interest to be payable semi-annually; of which aggregate debt of about twenty-eight million of dollars the said bondholders' committee represent that they now hold and agree to surrender not less than twenty-three million of dollars; and

Whereas, said report and agreement contemplate the surrender of the obligations held by the bondholders' committee as an entirety, and do not contemplate an apportionment by the General Assembly between the various classes of creditors so represented by said bondholders' committee, the same having been committed to a distributing tribunal, as hereinbefore recited; and

Whereas, it is the desire and intention of the General Assembly that a settlement of all the other outstanding obligations of the State (except those issued under the Act of February fourteenth, eighteen hundred and eighty-two, the evidences of debt held by the public institutions of the State in pursuance of law and by the United States) as well as those controlled by the bondholders' committee, as aforesaid, shall be made under the provisions of this Act; therefore—

1. Be it enacted by the General Assembly of Virginia, That the commissioners of the sinking fund, a majority of whom may act, be and they are hereby empowered and directed to create "listable" engraved bonds, registered and coupon, to such an extent as may be necessary to issue nineteen million of dollars of bonds in lieu of the twenty-eight million dollars of outstanding obligations, not funded under the Act approved February fourteenth, eighteen hundred and eighty-two, hereinbefore recited.

2. The said bonds shall be dated July first, eighteen hundred and ninety-one, and be payable at the office of the treasurer of the State, or at such agency in the city of New York as may be designated by the State, on the first day of July, nineteen hundred and ninety-one, and shall bear interest from date, payable semi-annually on the first days of January and July in each year, at the rate of two per centum per annum for the first ten years, and three per centum per annum for the remaining ninety years; the said interest may be payable in Richmond, New York, and London, or at either place, as may be designated by the State; provided, that the State may at any time and from time to time after July first, nineteen hundred and six, redeem at par any part of the principal with



accrued interest. In case of such redemption before maturity, the bonds to be paid shall be determined by lot by said commissioners of the sinking fund, and notice of the bonds so selected to be paid shall be given by publication beginning at least ninety days prior to an interest-due date, in a newspaper published in Richmond, Virginia, one in New York City, and one in London, England; and the interest from and after the next succeeding interest-due date shall cease upon the bonds so designated to be paid; provided, that no registered bonds shall be so redeemed while there are any coupon bonds outstanding.

3. The form of the bonds shall be substantially as follows, to wit:

Issued under act of Assembly, approved '————— day of ———, eighteen hundred and ninety-two.

The Commonwealth of Virginia acknowledges herself to be indebted to ————— (in case of a coupon bond, to the bearer, and in case of a registered bond, inserting the name of a person or corporation), or assigns, in the sum of ——— dollars, which she promises to pay in lawful money of the United States, at the office of the treasurer of the State, or at such agency in the city of New York as may be designated by the State, on the first day of July, nineteen hundred and ninety-one, with the option of payment at par with accrued interest, before maturity at any time after July first, nineteen hundred and six, and interest at the office of the treasurer of the State, or at the agencies of the State in New York City and London, England, or at either place, as may from time to time be designated by the State, in such lawful money aforesaid, at the rate of two per centum per annum for ten years from the first day of July, eighteen hundred and ninety-one, and at the rate of three per centum per annum thereafter until paid, payable semi-annually on January first and July first in each year (according to the tenor of the annexed coupon bearing the engraved signature of the Treasurer of the Commonwealth, in case of coupon bonds). And this obligation is hereby made exempt from any taxation by the said Commonwealth of Virginia, or any county or municipal corporation thereof.

In testimony whereof, witness the signature of the treasurer and the countersignature of the second auditor of the Commonwealth of Virginia, hereto affixed according to law.

[Seal.]

Treasurer.

Second Auditor.

4. The form of coupon for coupon bonds shall be substantially as follows, to wit:

Coupon No. —.

On the first day of ————— the Commonwealth of Virginia will pay to bearer ——— dollars in lawful money of the United States, at the office of the treasurer of the State, or at the agencies of the State in New York City and London, England, or at either place, as may be designated

by the State; the same being six months' interest on bond number —. ———— dollars. ————, Treasurer.

Each coupon to be impressed on the back with its number, in order of maturity, from number one consecutively.

5. Said commissioners of the sinking fund are authorized to issue coupon bonds in denominations of five hundred and one thousand dollars each, as may be necessary to carry out the provisions of this Act; provided that registered bonds may be issued of the denominations of one hundred dollars, five hundred dollars, one thousand dollars, five thousand dollars, ten thousand dollars; and they are authorized and directed to issue said bonds, registered or coupon, in exchange for the said outstanding obligations up to and including July first, eighteen hundred and ninety-one (exclusive of evidences of debt held by public institutions of the Commonwealth as aforesaid and by the United States) as follows:

A. Said bondholders' committee may at any time on or before the thirtieth day of June, eighteen hundred and ninety-two, present to said commissioners for verification bonds and other evidences of debt, and coupons or other evidences of interest thereon, obligations of the State of Virginia, held by said committee, for exchange as aforesaid; and said commissioners shall determine whether the obligations so presented are genuine obligations of the State and whether the coupons or other evidences of interest represent interest accrued on such obligations (exclusive of evidences of debt held by public institutions of the Commonwealth as aforesaid and by the United States).

B. Such of the obligations so presented for verification as may be determined by said commissioners to conform to the requirements of paragraph A hereof, shall be sealed in convenient packages as the examination proceeds. Each of the packages shall be numbered, and upon each package shall be endorsed the amount and character of the obligations therein contained. Such endorsement on each package shall be signed by said commissioners or a majority thereof, and the package shall then be delivered to said committee or its agent. Said commissioners shall keep in a book to be provided for the purpose a record of the numbers of all such packages and of the amount and character of the obligations contained in each. Such obligations presented by said bondholders' committee as do not conform to the requirements of paragraph A hereof shall be returned to said committee; but said commissioners shall keep a record thereof in the book aforesaid.

C. After said bondholders' committee shall have presented to said commissioners for verification bonds and other evidences of debt and coupons, or other evidences of interest thereon accrued on or before July first, eighteen hundred and ninety-one, obligations of the State of Virginia, all conforming to the requirements of paragraph A hereof, as determined by said commissioners, and amounting in the aggregate to not less than twenty-three million of dollars, after deducting one third of the principal and

interest of such obligations as were issued prior to the thirtieth day of March, eighteen hundred and seventy-one, and also deducting one third of the principal and interest of such obligations as were issued under the Act approved the thirtieth day of March, eighteen hundred and seventy-one, as do include West Virginia's proportion, said bondholders' committee may at any time on or prior to the thirtieth day of June, eighteen hundred and ninety-two, present the same in bulk to said commissioners for surrender and exchange as herein provided. All coupons matured or to mature on coupon bonds after July first, eighteen hundred and ninety-one, or coupons of like class and amount, or the face value thereof in cash shall be surrendered with such bonds, the said cash to be returned if proper coupons are subsequently tendered. And when the said bondholders' committee shall have presented for exchange the obligations aforesaid to an amount of twenty-three million of dollars or more, if the engraved bonds hereinbefore authorized are not ready for exchange, the said commissioners shall, upon application of said bondholders' committee, issue to said bondholders' committee a manuscript registered bond of the State of Virginia, substantially of the form of the bond hereinbefore specified, for the aggregate amount to which the said committee may be entitled for the obligations so presented under this Act, the said bond to be exchangeable for the engraved bonds aforesaid of character and amount required by said committee, as prescribed in this Act, and interest in the meantime on said manuscript bond shall be paid as herein provided for on the engraved bonds.

D. The said new bonds shall be issued to said bondholders' committee by the said commissioners in the following proportion, to wit: nineteen thousand dollars of the new bonds to be created under this act shall be issued for every twenty-eight thousand of old outstanding obligations (principal and interest to July first, eighteen hundred and ninety-one), as aforesaid, surrendered by said bondholders' committee to the said commissioners, after the deductions provided for in paragraph C of this section; and a proportionate amount of said new bonds shall be issued for smaller sums of said outstanding obligations so surrendered; provided that no certificates issued on account of the proportion of West Virginia of the obligations of the State shall be funded under this act. When said bondholders' committee shall have surrendered and exchanged such obligations as aforesaid to the amount of at least twenty-three million dollars, said committee may at any time thereafter up to and including the thirtieth day of June, eighteen hundred and ninety-two, present to said commissioners for verification, surrender, and exchange additional obligations, principal and interest, as aforesaid; all coupons matured or to mature on coupon bonds after July first, eighteen hundred and ninety-one, or coupons of like class and amount, or the face value thereof in cash, to be presented with such bonds, the cash, if paid, to be returned if proper coupons are subsequently tendered. After said commissioners shall have determined that

said obligations conform to the requirements of paragraph A hereof, said commissioners shall accept the obligations so presented for surrender and exchange by said committee, and shall deliver to said committee in exchange therefor new bonds issued under the provisions of this Act in the same proportion as is set out in this paragraph of this section, after making the deductions provided for in paragraph C of this section.

E. If on making the exchange provided for in this Act said committee shall be found entitled to a fractional amount or amounts less than one hundred dollars in addition to the new bonds delivered to it, said commissioners of the sinking fund shall issue to the committee a certificate or certificates for such amount or amounts. Such fractional certificates shall be exchangeable for the bonds authorized by this Act to be issued in sums of one hundred dollars, or any multiple thereof, and certificates of like character shall be issued for any fractional amount which may remain in making the exchange.

6. For all balances of the indebtedness, constituting West Virginia's share of the old debt, principal and interest, in the settlement of Virginia's equitable share of the bonds authorized to be exchanged under this Act, the said share having been heretofore determined by the Commonwealth of Virginia, the said commissioners shall issue certificates substantially in the following form, viz.:

No. —. The Commonwealth of Virginia has this day discharged her equitable share of the (registered or coupon, as the case may be) bond for — dollars, dated — day of —, and No. —, leaving a balance of — dollars, with interest from —, to be accounted for to the holder of this certificate by the State of West Virginia, without recourse upon this Commonwealth.

Done at the capital of the State of Virginia, this — day of —, eighteen hundred and ninety-two.

— —, Second Auditor.

— —, Treasurer.

The certificates so issued under sections five and six of this Act shall be recorded by the second auditor in a book kept for that purpose, giving the date and number of the transaction to which it refers, the amount of certificates, and the name of the person or corporation to whom issued and delivered; and as such certificates, authorized by paragraph E, section five of this Act, are exchanged, the same shall be cancelled and preserved as herein provided in respect to the evidences of debt refunded.

7. The commissioners of the sinking fund are hereby authorized and required to receive on deposit for verification, classification, and exchange such of the said obligations of the State as may be presented to said commissioners; provided, that said commissioners shall not receive on deposit for the purposes aforesaid any outstanding obligations of the State which have been once deposited with the bondholders' committee, or may be hereafter deposited with them; the said verification and exchange for the

new bonds of the obligations so deposited to be conducted in the same manner as hereinbefore provided with respect to the obligations deposited with the said bondholders' committee; and the said commissioners of the sinking fund shall issue to and distribute amongst said depositing creditors after they have fully complied with the terms of this Act, in exchange for the obligations so deposited, bonds authorized by this Act as follows, viz.: To each of the several classes of said depositing creditors the same proportion, as nearly as may be found in their judgment practicable by the commissioners of the sinking fund, as the same class shall receive under the distribution which shall be made by the commission for the creditors represented by the bondholders' committee: provided, that no obligations shall be received for such deposit after the thirtieth day of June, eighteen hundred and ninety-two, nor shall any coupon bonds be received which do not have attached thereto all the coupons maturing after July first, eighteen hundred and ninety-one; but for any such coupons as may be missing, coupons of like class and amount, or the face value thereof in cash may be received; the said cash, if paid, to be returned if proper coupons are subsequently tendered; and each depositor shall, when he receives his distributive share of the said new issue of bonds, pay to the commissioners of the sinking fund three and one-half per centum in cash of the par value of the bonds received by him, or a commission equal in amount to that which may at any time hereafter be fixed by the said committee of bondholders upon any bonds deposited with them, not, however, in any case to exceed three and one-half per centum; and said sinking fund commissioners shall cover the fund thus received into the treasury of the Commonwealth.

8. All the coupon and registered bonds issued under this Act shall be separately recorded by the second auditor in books provided for the specific purpose, in each case giving the date, number, amount of obligations issued, and the name of the person or corporation to whom issued, and the date, number, amount, and description of the obligations surrendered.

9. All the bonds and certificates of debt, and evidences of past due and unpaid interest, taken in under the provisions of this Act, shall be cancelled by the treasurer in the presence of the commissioners of the sinking fund, or a majority thereof, as the same are acquired, and by him carefully preserved, subject to disposition by the General Assembly; a schedule of the bonds, certificates, and other evidences of debt so cancelled shall be certified by said commissioners and filed by the treasurer for preservation.

10. In the year nineteen hundred and ten, and annually thereafter, there shall be set apart of the revenue collected from the property of the State each year up to and including the year nineteen hundred and twenty-nine, one-half of one per cent. upon the bonds issued under this Act, as well as upon the outstanding bonds issued under Act approved February fourteenth, eighteen hundred and eighty-two; and in the year nineteen hun-

dred and thirty, and annually thereafter until all the bonds issued under this Act and the said Act approved February fourteenth, eighteen hundred and eighty-two, are paid, there shall be set apart of the revenue collected from the property of the State each year one per cent. upon the outstanding bonds issued under the aforesaid Acts, which shall be paid into the treasury to the credit of the sinking fund, and the commissioners of the sinking fund shall annually, or oftener, apply the same to the redemption or purchase (at a rate not above par and accrued interest) of the bonds issued under the aforesaid Acts, and the bonds so redeemed shall be cancelled by the said commissioners and the same registered by the second auditor in a book to be kept for that purpose, giving the number and date of issue, the character, the amount, and the owner at the time of purchase of the bonds so redeemed and cancelled; and in case no such purchase of bonds can be made, then the amount which can be redeemed shall be called in by lot, as provided in section two of this Act. All bonds of the State issued under the provisions of the Act aforesaid, approved February fourteenth, eighteen hundred and eighty-two, and now held by said commissioners of the sinking fund, shall as soon as at least fifteen million of dollars of new bonds shall have been issued and delivered pursuant to the provisions of this Act, be cancelled by said commissioners and preserved in the office of the treasurer of the Commonwealth.

11. Executors, administrators, and others acting as fiduciaries, may participate in the settlement of the debt herein specified in the manner hereinbefore provided, and such action shall be deemed a lawful investment of their trust fund. Executors, administrators, and others acting as fiduciaries, may invest in the bonds issued under this Act, and the same shall be considered a lawful investment.

12. All coupons heretofore tendered for taxes and held by said tax-payers in pursuance of such tender, shall be received in payment of the taxes for which they were tendered, and upon their delivery to the proper collector or the amount thereof in money, the judgments obtained against the said tax-payers for such taxes shall be marked satisfied; provided the said tax-payers shall have paid in money, and not in coupons, the costs of said judgments. All coupons heretofore tendered for taxes and held by the officers of the Commonwealth for verification in pursuance of the statute in such case made and provided, shall be received in payment of the taxes for which they were tendered, and the money collected for such taxes returned to the parties from whom it was received; provided the said tax-payers shall have paid in money, and not in coupons, all costs incurred in legal proceedings to verify said coupons.

13. The treasurer of the Commonwealth is authorized and directed to pay the interest on the bonds issued under this Act as the same shall become due and payable out of any money in the treasury not otherwise appropriated.

14. The plates from which the bonds and fractional certificates authorized by this Act are printed shall be the property of the Commonwealth.

15. All necessary expenses incurred in the execution of this Act shall be paid out of any money in the treasury not otherwise appropriated on the warrants of the auditor of public accounts, drawn upon the treasury on the order of the commissioners of the sinking fund.

16. The Act entitled "An Act to ascertain and declare Virginia's equitable share of the debt created before and actually existing at the time of the partition of her territory and resources, and to provide for the issuance of bonds covering the same, and the regular and prompt payment of interest thereon," approved February fourteenth, eighteen hundred and eighty-two, and the amendments thereto, to wit: An Act entitled "An Act to declare the true intent and meaning of, and to amend and re-enact section five of chapter eighty-four of Acts eighteen hundred and eighty-one and eighteen hundred and eighty-two, approved February fourteenth, eighteen hundred and eighty-two," approved August twenty-seventh, eighteen hundred and eighty-four; and the Act entitled "An Act to amend and re-enact an Act approved August twenty-seventh, eighteen hundred and eighty-four, entitled an Act to declare the true intent and meaning of, and to amend and re-enact section five of chapter eighty-four of Acts of eighteen hundred and eighty-one and eighteen hundred and eighty-two, approved February fourteenth, eighteen hundred and eighty-two," approved November twenty-ninth, eighteen hundred and eighty-four, are hereby repealed.

17. The commissioners of the sinking fund are authorized, if it shall seem to them for the best interest of the Commonwealth, to make one extension of the time for the funding of the said twenty-eight million of dollars of outstanding evidences of debt for a period not exceeding six months from the thirtieth day of June, eighteen hundred and ninety-two.

18. The commissioners of the sinking fund are authorized to exchange coupon bonds issued under this Act into registered bonds in the denominations hereinbefore provided, and to arrange for the transfer of registered bonds. For every bond so issued in exchange a fee of fifty cents shall be charged by and paid to the second auditor, and shall, upon his order, be covered into the treasury to the credit of the sinking fund; and bonds so taken in exchange shall be cancelled in the manner hereinbefore prescribed.

19. This Act shall be in force from its passage.

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AT THIS point it does not seem inappropriate to give the following gleanings from a volume issued by the Commissioner of Agriculture for Virginia, and published by authority of law. It pictures the Virginia of today:

Virginia lies in latitude 36° 31' to 39° 27' north, corresponding to Southern Europe, Central Asia, Southern Japan, and California. Its long-

itude is from  $75^{\circ} 13'$  to  $83^{\circ} 37'$  west from Greenwich. On the south it adjoins North Carolina for 326 miles and Tennessee for 114 miles, making the line of the State from the Atlantic west 440 miles. On the west and northwest, Kentucky for 115 and West Virginia (by a very irregular line) for 450 miles, form the boundary. On the northeast and north it is separated by the Potomac River and the Chesapeake Bay from Maryland for 205 miles, and by a line of 25 miles across the eastern shore. East and southeast it is bordered by the Atlantic for 125 miles. The boundary lines of the State measure about 1,400 miles. On the northwest they are mostly mountain ranges; on the northeast and east, water. The longest line in the State, from the Atlantic southwest to Kentucky, is 476 miles; the longest from north to south is 192 miles.

The State has an area of land surface of 40,125 square miles and a water surface estimated at 2,325 square miles. Its mountains are the two great chains of the Appalachian Range. The highest and most noted peaks are on the Blue Ridge, standing between the great valley and Piedmont, overlooking the east and west. Their location gives these high peaks a beauty and grandeur not often surpassed.

Its principal inland waters are the Chesapeake and Mobjack Bays and Hampton Roads. Its only considerable lake, Lake Drummond, in the Dismal Swamp, occupies the highest part of the swamp, being 22 feet above mean tidewater, and flows out on all sides through natural and artificial channels into the rivers. It is filled with fish, but no animals harbor or can be found near its banks. The water (called Juniper) is pleasant to the taste; though amber-colored, keeps pure for years. Sea-going vessels have for many years secured this water for long voyages. It is used by the United States naval vessels which go out from the navy-yard at Portsmouth. The lake is nearly round and nearly 20 miles in circumference.

#### PRINCIPAL RIVERS AND BRANCHES.

The waters belonging to the Atlantic system drain six-sevenths of the State. The principal streams of this system are: The Potomac, a wide and deep river, the northeastern boundary of Virginia, with its large branches, the Shenandoah and the South Branch, and its prominent smaller ones, Potomac Creek, Occoquan River, Broad Run, Goose, Catcotin and Opequon Creeks, draining a large area of each of the sections of the State. The Potomac is navigable for 110 miles from where it enters the bay, some 65 miles from the ocean. It has many landings, and lines of steamers and sailing vessels connect with all portions of the country, giving great facilities for cheap transportation to a very extensive and valuable portion of the Northern Neck. The Rappahannock, with its Rapid Anne and numerous other branches, flows from the Blue Ridge across Piedmont, Middle and Tidewater, irrigating a large territory. The Rappahannock is navigable to Fredericksburg, 92 miles from its mouth at the bay, some 40 miles from the ocean. The Piankitank, draining only a por-



tion of Tidewater, is navigable for some 14 miles; and Mobjack Bay and its rivers furnish deep entrances to the Gloucester Peninsula. The York, with its Pamunkey and Mattaponi branches, and many tributaries, flows through a considerable area of Middle and Tidewater. The York is a wide, deep, and almost straight *belt* of water, reaching over 40 miles from the bay to the junction of the Pamunkey and the Mattaponi, which are themselves navigable for many miles for light-draught vessels. The James, with the Chickahominy, Elizabeth, Nansemond, Appomattox, Rivanna, Willis', Slate, Rockfish, Tye, Pedlar, North, Cowpasture, Jackson's, and many other inflowing rivers and streams of all kinds, gathers from a large territory in all the divisions, draining more of the State than any other river. The James is navigable to Richmond. The Elizabeth is a broad arm of the Hampton Roads estuary of the James, extending for 12 miles, the last four of which are expanded as the superb harbor between the cities of Norfolk and Portsmouth. All these flow into Chesapeake Bay. The Chowan, through its Blackwater, Nottoway and Meherrin branches and their affluents, waters portions of Middle and Tidewater Virginia. The Roanoke, called the Staunton from the mouth of the Dan to the Blue Ridge, receives the Dan, Otter, Pig, and many other streams from the Valley, Piedmont and Middle Virginia, and then flows through North Carolina to Albemarle Sound, joining the Chowan. The sources of the Yadkin are in the Blue Ridge.

The waters of the Ohio, a part of the Mississippi system, drain the remaining seventh of the State; but they reach the Ohio by three diverse ways. The rivers are: The Kanawha or New River, that rises in North Carolina, in the most elevated portion of the United States east of the Mississippi, flows through the plateau of the Blue Ridge, from which it receives Chestnut, Poplar Camp, Reed Island and other creeks and Little River; across the Valley, where Cripple, Reed and Peak's Creeks join it; across Appalachia, from which Walker's, Sinking, Big and Little Stony and Wolf Creeks and East and Bluestone Rivers flow into it, and then through West Virginia into the Ohio, having cut through the whole Appalachian system of mountains, except its eastern barrier, the Blue Ridge. The Holston, through its South, Middle and North Forks, Moccasin Creek, etc., drains the southwestern portions of the Valley and Appalachia; and the Clinch, by its North and South Forks, Copper Creek, Guest's and Powell's Rivers, and many other tributaries, waters the extreme southwest of the Appalachian Country. These flow into the Tennessee. A portion of the mountain country gives rise to the Louisa and Russell's Forks of the Big Sandy River, and to some branches of the Tug Fork of the same river, the Tug forming the Virginia line for a space. These flow into the Ohio by the Big Sandy.

These are but a few of the thousand or more named and valuable streams of Virginia. They abound in all portions of the State, giving a vast quantity of water-power, irrigating the country, furnishing waters

suited to every species of fish, giving channels for the tide and inland navigation, and enlivening the landscapes. Springs are very numerous, many of them of large size. Nearly every portion of the State is well watered.

Virginia has about 1,500 miles of steamboat navigation and as much more for small boats. Its tide-waters afford 3,000 miles of fishing shores and over 2,000 of oyster grounds. The chief cities are Richmond, the capital, population 81,388; Norfolk, the great seaport, population 34,871; Petersburg, on the Appomattox, population 22,680; Lynchburg, on the James, population 19,709; Roanoke, in the valley, 16,159; Alexandria, on the Potomac, population 14,339; Portsmouth, a seaport, population 13,268; Danville, on the Dan, population 10,305; Manchester, across the James from Richmond, population 9,246; and many smaller and well-situated cities of over 5,000 inhabitants. These figures are from the census of 1890.

There are six great natural divisions of Virginia—belts of country extending across the State from northeast to southwest, nearly parallel to each other, and corresponding to the trend of the Atlantic coast on the east, and the Appalachian system of mountains on the northwest. These grand divisions are taken in the order of succession from the ocean northwest across the State; 1st. The Tidewater Country; 2d. Middle Virginia; 3d. The Piedmont Section; 4th. The Blue Ridge Country; 5th. The Great Valley of Virginia; 6th. The Appalachian Country. These divisions not only succeed each other geographically, but they occupy different levels above the sea, rising to the west like a grand stairway. They differ geologically also; therefore, they have differences of climate, soil, productions etc., and require separate consideration in a description of the State.

#### TIDEWATER VIRGINIA

Is the eastern and southeastern part of the State that on the south borders North Carolina 104 miles; on the east has an air-line border of 120 miles along the Atlantic; on the west is bounded by 150 miles of the irregular outline of the Middle Country—(this would be 164 miles if it took in the mere edge of Tidewater along the Potomac up to Georgetown). The shore line of the Potomac River and the Chesapeake Bay for 140 miles, and a line of 25 miles across the eastern shore, separate it from Maryland on the north. The whole forms an irregular quadrilateral, averaging 114 miles in length from north to south, and 90 in width from east to west, making an area of some 11,000 square miles.

The latitude is from 36° 33' to 38° 54' north, corresponding to that of the countries bordering on the northern shores of the Mediterranean. The longitude is from 75° 13' to 77° 30' west from Greenwich—that of Ontario, in Canada, on the north, and of the Bahamas, Cuba, etc., on the south.

This is emphatically a tidewater country, since every portion of it is

penetrated by the tidal waters of Chesapeake Bay and its tributary rivers, creeks, bays, and inlets. The united waters of nearly all this section, with those that drain 40,000 more square miles of country, or the drainage of 50,000 square miles (an area equal to that of England), flow out through the channel, 12 miles wide, between Capes Charles and Henry, and 50 or 60 miles from the land runs the ever-flowing Gulf Stream.

### THE MIDDLE COUNTRY

Extends westward from the "head of tide" to the foot of the low, broken ranges that, under the names of Catocton, Bull Run, Yew, Clark's, Southwest, Carter's, Green, Findlay's, Buffalo, Chandler's, Smith's, etc. mountains and hills, extend across the State south-west, from the Potomac near the northern corner of Fairfax County, to the North Carolina line, forming the eastern outliers of the Appalachian system, and that may with propriety be called the Atlantic Coast Range.

The general form of this section is that of a large right-angled triangle, its base resting on the North Carolina line for 120 miles; its perpendicular, a line 174 miles long, extending from the Carolina line to the Potomac; just east of and parallel to the meridian of  $77^{\circ} 30'$  west, is the right line along the waving border of Tidewater, which lies east; the hypotenuse is the 216 miles along the Coast Range before mentioned, the border of Piedmont, on the northwest—the area of the whole, including the irregular outline, being some 12,470 square miles.

The latitude of this section is from  $36^{\circ} 33'$  to  $39^{\circ}$ ; the longitude,  $70^{\circ}$  to  $79^{\circ} 40'$  west. So its general situation and relations are nearly similar to those of Tidewater.

The Middle Country is a great, moderately undulating plain, from 25 to 100 miles wide, rising to the northwest from an elevation of 150 to 200 feet above tide, at the rocky rim of its eastern margin, to from 300 to 500 along its northwestern. In general appearance this is more like a plain than any other portion of the State. The principal streams, as a rule, cross it at right angles; so it is a succession of ridges and valleys running southeast and northwest, the valleys often narrow and deep, but the ridges generally not very prominent. The appearance of much of this country is somewhat monotonous, having many dark evergreen trees in its forests. To many portions of the Middle Country the mountain ranges to the west, of the deepest blue, form an agreeable and distant boundary to the otherwise sober landscape. There are a few prominences like Willis', Slate River, and White Oak Mountains farther east, only prominent because in a champaign country.

### PIEDMONT VIRGINIA

Is the long belt of country stretching for 244 miles from the banks of the Potomac and the Maryland line southwest, along the eastern base of the

Blue Ridge Mountains, and between them and the Coast Range, to the banks of the Dan at the North Carolina line; it varies in width from 20 to 30 miles, averaging about 25; its approximate area is 6,680 square miles.

Its latitude corresponds with that of the State,  $36^{\circ} 33'$  to  $39^{\circ} 27'$  north; its longitude is from  $77^{\circ} 20'$  to  $80^{\circ} 50'$  west.

This Piedmont Country is the fifth step of the great stairway ascending to the west; its eastern edge, along Middle Virginia, is from 300 to 500 feet above the sea; then come the broken ranges of the Coast Mountains, rising as detached or connected knobs, in lines or groups, from 100 to 600 feet higher. These are succeeded by the numberless valleys of all imaginable forms, some long, straight, and wide; others narrow and widening; others again oval and almost enclosed, locally known as "Coves," that extend across to and far into the Blue Ridge, the spurs of which often reach out southwardly for miles, ramifying in all directions. Portions of Piedmont form widely extended plains. The land west of the Coast Range is generally from 300 to 500 feet above the sea, and rises to the west, until at the foot of the Blue Ridge it attains an elevation of from 600 to 1,200 feet. The Blue Ridge rises to from 2,000 to 4,000 feet above the sea; at one point near the Tennessee line it reaches a height of 5,530 feet; its general elevation is about 2,500, but its outline is very irregular.

Numerous streams have their origin in the gorges of the Blue Ridge, and most of them then flow across Piedmont to the southeast until near its border, where they unite and form one that runs for a considerable distance along and parallel to the Coast Mountains, and takes the name of some of the well-known rivers that cross Middle and even Tidewater Virginia, like the Roanoke or Staunton, and the James. Some of these rivers break through the Blue Ridge from the Valley, making water gaps in that formidable mountain barrier, as the Potomac, the James and the Roanoke; but they all follow the rule above given in their way across this section.

This is a genuine "Piedmont" country—one in which the mountains present themselves in their grand as well as in their diminutive forms—gradually sinking down into the plains, giving great diversity and picturesqueness to the landscape. Few countries surpass this in beauty of scenery and choice of prospect, so it has, always been a favorite section with men of refinement in which to fix their homes. Its population is 31 to the square mile, giving some 21 acres each.

#### THE GREAT VALLEY OF VIRGINIA

Is the belt of limestone land west of the Blue Ridge, and between it and the numerous interrupted ranges of mountains, with various local names, that run parallel to it on the west at an average distance of some twenty miles, that collectively are called the Kitatinny or North Mountains. This valley extends in West Virginia and Virginia for more than 330 miles from the Potomac to the Tennessee line, and 305 miles of this splendid

country are within the limits of Virginia. The county lines generally extend from the top of the Blue Ridge to the top of the second or third mountain range beyond the Valley proper, so that the political Valley is somewhat larger than the natural one, which has an area of about 6,000 square miles, while the former has 7,550, and a population of twenty-six to the square mile. The latitude of the Valley is from  $36^{\circ} 35' N.$  to  $39^{\circ} 26'$ ; its longitude is from  $77^{\circ} 50'$  to  $80^{\circ} 16' W.$

While this is one continuous valley clearly defined by its bounding mountains, it is not the valley of one river, or of one system of rivers, but of five; so that it has four water-sheds and four river troughs in its length along the Valley from the Potomac to the Tennessee line. These valleys and their length in the Great Valley, are from the northeast—

1st.	The Shenandoah Valley . . . . .	136 miles
2d.	The James River Valley . . . . .	50 "
3d.	The Roanoke River Valley . . . . .	38 "
4th.	The Kanawha or New River Valley . .	54 "
5th.	The Valley of the Holston or Tennessee . . . .	52 "
		<hr/> 330 miles

As a whole, the Valley rises to the southwest, being 242 feet above the tide where the Shenandoah enters the Potomac and the united rivers break through the Blue Ridge at Harper's Ferry, and 1,687 feet where the waters of the Holston leave the State and pass into Tennessee. The entire Valley appears then as a series of ascending and descending planes, sloping to the northeast or the southwest. That of the Shenandoah rises from 242 to 1,863 feet along the line of its main stream, in 136 miles, looking northeast; those of the James slope both ways, from the Shenandoah summit to the southwest, and from the Roanoke summit to the northeast, and so on. This arrangement gives this seventh great step a variety of elevations above the sea from 242 to 2,594 feet, or even 3,000, in a great enclosed valley, subdivided into very many minor valleys, giving "facings" in all directions; for the whole Valley has a very decided southeastern inclination, to be considered in this connection, its western side being from 500 to 1,000 feet in surface elevation above its eastern, presenting its mass to the sun, giving its streams a tendency to flow across it toward the east, as the result of its combined slopes, and making the main drainage way hug the western base of the Blue Ridge. A moment's reflection will show that this is a well-watered country, having a wealth of water-power and drainage and irrigation resources almost beyond estimate.

The aspect of this region is exceedingly pleasant. The great width of the Valley; the singular coloring, and wavy, but bold outline of the Blue Ridge; the long, uniform lines of the Alleghany Mountains, and the high knobs that rise up behind them in the distance; the detached ranges that often extend for many miles in the midst of the Valley like huge lines of fortification—all these for the outline, filled up with park-like forests, well-cultivated farms, well-built towns, and threaded by bright and abounding rivers, make this a charming and inviting region.

## THE BLUE RIDGE SECTION,

For two thirds of its length of 310 miles, is embraced in the Valley and Piedmont counties that have their common lines upon its watershed; it is only the southwestern portion of it, where it expands into a plateau, with an area of some 1,230 square miles, that forms a separate political division; still the whole range and its numerous spurs, parallel ridges, detached knobs and foot hills, varying in width from 3 to 20 miles, embracing nearly 2,500 square miles of territory, is a distinct region, not only in appearance but in all essential particulars. The river, in the gorge where the Potomac breaks through the Blue Ridge, is 242 feet above tide. The Blue Ridge there attains an elevation of 1,460 feet. Mt. Marshall, near and south of Front Royal, is 3,369 feet high; the notch, Rockfish Gap, at the Chesapeake and Ohio Railroad, is 1,996 feet, and James River, where it passes through the Ridge, is 706 feet above tide, or more than twice as high as the Potomac at its passage. The Peaks of Otter, in Bedford County, are 3,993 feet, and the Balsam Mountain, in Grayson, is 5,700 feet, and in North Carolina this range is nearly 7,000 feet above the sea level. These figures show that this range increases in elevation as we go southwest, and every portion of the country near rises in the same manner. At a little distance this range is generally of a deep blue color. The whole mountain range may be characterized as a series of swelling domes, connected by long ridges meeting between the high points in gaps or notches, and sending out long spurs in all directions from the general range, but more especially on the eastern side, these in turn sending out other spurs, giving a great development of surface and variety of exposure.

The political division upon the plateau of the Blue Ridge is the counties of Floyd, Carroll and Grayson, all watered by the Kanawha, or New River, and its branches, a tributary of the Ohio, except the little valley in the southwest corner of Grayson, which sends its waters to the Tennessee. The population of this romantic section is 23 to the square mile.

## APPALACHIAN VIRGINIA

Succeeds the Valley on the west. It is a mountain country, traversed its whole length by the Appalachian or Alleghany system of mountains. It may be considered as a series of comparatively narrow, long, parallel valleys, running northeast and southwest, separated from each other by mountain ranges that are, generally, equally narrow, long and parallel, and quite elevated. In crossing this section to the northwest, at right angles to its mountains and valleys, in fifty miles one will cross from six to ten of these mountain ranges, and as many valleys. As before stated, a strip of this region is embraced in the Valley counties, as they include the two or three front ranges that have drainage into the Valley; so that some 900 square miles of Appalachia are politically classed with the Valley, leaving 5,720 square miles to be treated of here. This, in Virginia, is an

irregular belt of country 260 miles long, varying in width from 10 to 50 miles. Its waters, generally, flow northeast and southwest, but it has basins that drain north and northwest, and south and southeast. The heads of the valleys are generally from 2,000 to 2,800 feet above tide, and the waters often flow from each way to a central depression—that is, from 600 to 1,200 feet above sea level—before they unite and break through the enclosing ranges. The remarks made concerning the slopes of the Great Valley apply also to this section, except that the Appalachian valleys are straighter.

Appalachia is noted as a grazing country, its elevation giving it a cool, moist atmosphere, admirably adapted, with its fertile soil, to the growth of grass and the rearing of stock of all kinds.

The geological formations found in Virginia, like its geographical divisions, succeed each other in belts, either complete or broken, nearly parallel to the coast of the Atlantic. In fact, the geographical divisions of the State that have already been given correspond in the main to the different geological formations, and have been suggested by them; hence, those divisions are natural.

The formations developed in Virginia, taken in the order in which they succeed each other and cover the surface, or form the rocks found with the surface, from the Atlantic at the Virginia capes to the northwest across the State, are as follows:

*Tidewater*.—1. Quarternary; 2. Upper Tertiary; 3. Middle Tertiary; 4. Lower Tertiary. *Middle*.—5. Triassic and Jurassic; 6. Azoic and Granitic. *Piedmont*.—7. Azoic, Epidotic, etc. *Blue Ridge*.—8. Azoic and Cambrian. *The Valley*.—9. Cambrian and Silurian. *Appalachia*.—10. Sub-carboniferous and Devonian; 11. Silurian; 12. Devonian and Sub-carboniferous; 13. Great Carboniferous.

The character of the soils of Virginia, as of other countries, is dependent upon its geology.

The mineral resources of the State may be summed up as consisting—

#### IN TIDEWATER VIRGINIA

Of several kinds of marls, greensand, etc., highly esteemed as fertilizers; of choice clays, sands and shell limestone, for building purposes.

#### IN THE MIDDLE SECTION

Of fine granites, gneiss, brownstone, sandstone, brick-clays, fire-clays, soap-stones, marble, slates, etc., for building materials; epidote in various forms and limestone for fertilizing uses; gold, silver, copper, specular, magnetic, hematite and other ores of iron in abundance; bituminous coal, etc.

## IN PIEDMONT VIRGINIA

Granitic building stones, marbles, sandstones, brick and fire-clays; epidotic rocks and limestone, for improving the soil; magnetic, hematite and other ores of iron; barytes, lead, manganese, etc.

## IN THE BLUE RIDGE DISTRICT

Various and abundant ores of copper; immense deposits of specular and brown hematite and other iron ores; greenstone rocks, rich in all the elements of fertility; sandstones and freestones; glass sand and manganese; brick and fire-clays.

## IN THE VALLEY

Limestones of all kinds, for building and agricultural uses; marbles, slates, freestones and sandstones; brick and fire-clays, kaolin, barytes; hematite, iron ores, lead and zinc in abundance; tin, semi-anthracite coal, travertine marls, etc.

## IN THE APPALACHIAN COUNTRY

Limestones, marbles, sand and freestone; slates, calcareous marls, brick-clays, etc.; various deposits of red, brown and other ores of iron, plaster, salt, etc., and a large area of all varieties of bituminous coal.

It is very difficult, within the limits of a publication like this, to present with anything like detail a fair statement of the enormous mineral resources of the State. For all practical purposes, they are boundless in extent, and their distribution is such as to warrant the assertion that before the close of the present century the aggregate product of our mines will surpass in value those of any other State in the Union.

Between the Atlantic coast and the western boundaries of the State, the whole "geological column" is represented, from the foundation granite to the capstones of the upper carboniferous. And in these successive strata are found the rocks and minerals peculiar to each all over the world, and usually in greater abundance and of greater excellence than anywhere else within the same area.

It would require the space of a large volume to indicate all the localities where these underground treasures are now known to exist, and to describe their specific qualities and estimate their quantities.

In 1891 the Commissioner of Agriculture reported from statistics that—

"In Virginia there have been found, tested and developed, immense deposits of minerals richer than in any other land. The coke from her immense coal fields is higher in fixed carbon and more valuable for smelting than any other, and has been carried hundreds of miles by rail to make cheap iron in other States. Her iron for steel, for cannon, for car-wheels, for stoves, etc., has been given upon test the highest place. Her immense deposits of manganese stand before the world without a rival. Her zinc has long had a reputation based on a large contract with the Ital-



ian Government, and both the mines and the smelting are increasing. Her granite was accepted by the Federal Government for building after an official test, and the finest pavements in many cities of our sister States are of her Belgian block. Her large deposits of magnesian lime still furnish the celebrated James River cement.

"Her Buckingham slate stands without a rival in roofing. These all have had official and practical tests.

"Add to these, minerals that have been developed and believed to have shown paying quality and quantity, the pyrite of Louisa, mica of Amelia, fire-clay and ochre of Chesterfield, gold of the middle counties, baryta, soapstone, lead, copper, tin, asbestos, plumbago, kaolin, gypsum, salt, lime, marble, lithographic stone and many others, and Virginia may well be proud of her mineral wealth."

#### IRON.

More than half the counties of the State contain mines of iron ore in ample quantities to give employment to thousands of men for ages yet to come.

The varieties in different localities are—

*Magnetites* (magnetic ore, so called because of its polarity, or mysterious power of attracting the magnetic needle).

*Limonites* (more commonly called brown hematite), and

*Specular*, or red hematite ores.

Professor McCreath, in his "Mineral Wealth of Virginia," says of the iron ores of Southwest Virginia:

"This iron ore region is for the most part embraced in Pulaski, Wythe, and Smyth Counties, in Southwest Virginia. The ores lie on both sides of New River and Cripple Creek, and the railroad line following these streams renders the whole ore supply practically available for market.

"The limestone ores of the Cripple Creek region show as high a general character as any brown hematite ores mined in the country. The result of numerous analyses shows an average richness in metallic iron of over 54 per cent. in the ore dried at 212° F., with about one tenth of one per cent. of phosphorus. This unusually fine character is found to be very uniform through all the numerous mines and outcrops examined. It is somewhat extraordinary that not only is there this regularity in the percentage of iron, but also that the phosphorus shows a great uniformity in specimens taken widely apart; and in no case has it been found to exceed two tenths of one per cent. The quality of the ore is such that it smelts very easily in the furnace, and it should require a minimum amount of both flux and fuel.

"The quantity of iron ore in the Cripple Creek region is undoubtedly very great. The limestone deposits occur in clefts and cavities of the limestone mixed with clay; but in this district, rarely with any flint.

The method of occurrence is such that the banks will yield widely varying quantities of ore. Some of them have been worked for many years, and shafts are reported to have been sunk 100 feet in ore-bearing clays with bottom of shaft still in ore. Frequently the ore-bearing material is of unusual richness, yielding in the washer fully one half clean ore."

#### COAL.

In the immediate vicinity of Richmond, lying on both sides of James River, the longest worked coal field in the United States exists. The coal is bituminous, and has long been esteemed as an excellent domestic fuel, and for foundry and blacksmith work, and the generation of steam. Coal was shipped from this field to Philadelphia before the Pennsylvania mines were worked. The field is from ten to twelve miles wide, and from thirty to forty in length, and in many places the seams are of enormous thickness. As a convenient supply to Richmond and towns and vessels on James River, this coal is an important element of wealth in the State. Over a million tons were taken from this field in twenty years—from 1822 to 1845.

Coal has been said to be discovered in Amelia County, and has been worked with some success in Cumberland County near Farmville, and coal is being developed in Powhatan and Goochland. Little veins of cannel coal have been found in Chesterfield, specimens of which have been brought to the Department of Agriculture. So far the only certain large deposits of this beautiful coal are in the County of Wise, a part of the great coal fields of the Southwest reaching into Kentucky and West Virginia.

In Botetourt, Pulaski, Montgomery, and Wytke Counties are somewhat extensive deposits of a semi-anthracite coal of local importance and value, furnishing a good domestic fuel. It is also used in the great zinc-reduction works at Pulaski, and at the salt works in Washington County.

In Rockingham and Augusta Counties are some irregular seams of true anthracite, but their extent and commercial value have not been determined. A Pennsylvania company is now working in Rockingham County.

The great Virginia coal field lies in the Counties of Tazewell, Russell, Buchanan, Dickenson, Wise, Lee and Scott. In these counties from eight hundred to one thousand square miles are underlaid with numerous seams of as pure and rich bituminous and cannel coal as have been found in the world. The bituminous coals proper cover the whole area mentioned—the splint more than two thirds of it, and the cannel coal a much smaller and as yet undetermined area. These coals are in the Lower and Middle productive measures. At Pocahontas, in Tazewell, where the mines now yield about one million tons per annum, only the Lower measures are worked, where a coal similar to that on New River, in West Virginia, is found in much larger seams than in West Virginia. In Russell, Buchanan, Dickenson, Wise, Lee and Scott, there are generally four, but in some places

six seams of unsurpassed coal for all purposes, including coking coals that make a coke seven per cent. richer in carbon and freer from sulphur and ash than the celebrated Connellsville coke of Pennsylvania, and four per cent. better than the Alabama coke, that is so rapidly building up a vast iron production in that State. Several railroads to and through this immense storage of the best fuel for metallurgical purposes, for gas production, steam and domestic use, are projected, and one is built. The companies are organized, and there is every indication that within the next ten years the development in that section of the State will surpass anything in its history. The best of the iron ores above mentioned are in close proximity to these coals; and the agricultural resources of that part of the State are adequate to the support of an immense industrial population.

Prior to 1883, comparatively little coal was mined in Virginia, the output of 1880 being less than 50,000 tons, but during that year the Flat Top coal regions were opened up mainly by the Southwest Virginia Improvement Company, the Norfolk and Western Railroad having been extended to this section. In 1883 this company mined 99,871 tons of coal, and in 1884, 283,252 tons. There are now several other companies developing coal mines in the same territory, and the prospects are good for a very important coal mining interest growing up in that section. The coal is of excellent quality both for steam purposes and for coke making, and as the Norfolk and Western Railroad Company have built at Norfolk, Va., one of the largest coal piers in the world for shipping this coal, there is no doubt that there will be a large increase in the amount of coal produced at these mines during the next few years. This will naturally result in making Norfolk an important coal shipping port and coaling station for foreign steamships. The distance from these mines to Norfolk is about 378 miles. For coking purposes, this coal as already stated, has proved very satisfactory. This statement was made in 1886.

It may with safety be predicted that in a few years Virginia will take an important rank as a coal-producing State. And she will moreover have two important coal ports: Norfolk receiving and shipping the steadily increasing quantity of coal brought from the Flat Top coal field by the Norfolk and Western Railroad, and Newport News, already doing a heavy business in West Virginia coal, mined along the line of the Chesapeake and Ohio Railroad.

#### ZINC.

At Pulaski City, on the Norfolk and Western Railroad, in Southwestern Virginia, are located the largest zinc works in the South, with a supply of ore ascertained to be millions of tons. In numerous other localities in the same section of the state this valuable metal is found, and doubtless will lead to the erection of other works.

## LEAD.

In Wythe County lead has been extensively mined for over a hundred years. These mines were worked in 1773, and more than twenty millions of tons have been taken from them. The crude ore is found in veins in the limestone, yielding from 5 to 15 per cent. At present the largest lead works in the South are carried on there, with an apparently exhaustless supply to draw from. In some sections other mines of great value have been found, and means are on foot to develop some of them.

## MANGANESE.

Manganese is found widely disseminated through Virginia in the form of black oxide and as manganiferous iron ore. The most productive manganese mine now worked in the United States is that of the Crimora Company, Augusta County, at the base of the Blue Ridge Mountains on the west, near Waynesboro. Other deposits, that are thought to be as large, have recently been brought to light within a few miles of Crimora, between the Shenandoah Valley Railroad and the Blue Ridge.

## TIN.

In Rockbridge County, tin has been found, with indications that the mines are extensive. The quality of the ore has been ascertained by analysis to be excellent, and it is expected from the openings now made, that the quantity will be sufficient to insure adequate capital for the full development of the mines.

"The tin field is located in a small area in the eastern part of Rockbridge County, Virginia. The region is very accessible from nearly all directions.

"The Irish Creek area within which tin ore has been found is about three miles wide from northwest to southeast, and about four miles long from northeast to southwest, and therefore embraces some twelve square miles of territory. It is near three lines of railways.

"The geological and mineralogical conditions of the Irish Creek tin-bearing region are similar to, if not identical with, those of the Cornwall (England) and other noted tin-producing districts. There are the same crystalline and metaphoric rocks, broken, fissured, and faulted by dikes of trap, basalt, and other igneous rocks, thus furnishing similar conditions for the formation of true, profitable, metalliferous fissure veins, such as are caused by profound movements of the earth's crust—just such veins as those in which stanniferous ores of the Irish Creek district are found.

"The exposure of the Irish Creek tin veins, both natural and artificial, unmistakably leads to the conclusion that these veins compare in general character, extent, thickness and richness in metallic tin most favorably with those of the famous Cornwall district of England, while the mining conditions are better. I may add that no region can offer superior advantages for extensive mining and metallurgical operations; the climate is all

the year round salubrious and favorable for work. The Blue Ridge proper of Virginia, unlike most mountain chains, is a very garden of fertility and varied productiveness, and the same may be said of Piedmont Virginia, that flanks it on the east, and of the famous limestone valley that flanks it on the west. The forests of this region can be depended on for charcoal, and it is not far by direct railway to the best metal-working and coking-coals in the United States."

#### COPPER.

In Carroll, Floyd, and Grayson Counties, large veins of copper ores, sulphurets and carbonates exist, and prior to the war some of them were successfully worked. But their remoteness from railway lines has deterred capitalists from re-establishing these mining operations. There is some prospect that at an early day a railroad will penetrate that region, and lead to the re-opening of these valuable mines.

In several of the Piedmont counties copper ores are known to exist, but the mines have never been operated, except in Loudoun and Amherst, where much valuable ore has been raised and shipped to the North, and considerable quantities of native copper ores have been gotten as a by-product from the pyrites of the Arminius mines in Louisa County.

Copper has been discovered in at least eighteen counties in Virginia, and in many of them considerably developed.

#### SALT.

In conjunction with the strata banks of north Holston Valley the celebrated wells of salt exist that have been used for about a century at Saltville, in Washington County, and during the late Civil War supplied nearly the whole Confederacy east of the Mississippi with the indispensable article of salt, of the greatest purity. No diminution in supply or quality has ever been detected. The production now is about half a million bushels annually.

The rock at Saltville, possibly 200 feet thick by an unknown length, may have a different origin from that of the gypsum—possibly may be due to deposition in a secure basin from brines flowing constantly from the salt-bearing groups of rocks known to be in the sub-carboniferous series. The brines are of an unusual degree of purity; have been drawn upon for many years by the salt works of Saltville, making over 500,000 bushels of salt annually, without any appreciable diminution of either strength or quantity.

The brine is drawn from artesian wells about 200 feet deep, rising to within forty feet of the surface. This brine comes from a solid bed of rock salt 200 feet below the level of the Holston, and borings have been made into it 176 feet without passing through it. The supply of brine is not affected by any operations yet carried on, and at one time during the Confederate War 10,000 bushels of salt were made there every day for six

months. The present yield is about 360,000 bushels a year, using wood for fuel. When improvements contemplated bring the coal that is but 40 miles off to these works, there will be a very large amount of salt made here, as it has the advantage of being so far inland.

The copper ores of Floyd County make it possible to here locate successfully alkali works. Professor Leibig mentions the fact that a well has been bored in Tazewell County, and adds: "It must be borne in mind that the salt wells of Eastern Kentucky get their water from the conglomerate at the bottom of the coal measures." Therefore, there must be a salt-water bearing formation several hundred feet below the coal bed at the bottom of this lode. Salt has been made at works in the southeastern part of Lee County, on the waters of Clinch River. There is no doubt an abundance of brine, throughout the region in the formation above named.

#### ASBESTOS.

Asbestos of good quality and workable quantity exists in the counties lying between the upper James and the upper Dan rivers, at several places, notably in Pittsylvania, Henry and Patrick, and latterly found in several other counties, very fine specimens of which can be seen in the cabinet of the Department of Agriculture. Asbestos in its various formations has been recently developed in Bedford County, and is found in large quantities and of good quality. In the Blue Ridge division asbestos is found in connection with most of the mineral formations. In Roanoke and Botetourt it is very white and pure, though the fibre is short. In Buckingham the fibre is very long and flexible, but the color is not so good, but the specimens were taken near the surface. It is said to have been found in Amelia, Fairfax, Fauquier, Patrick and Pittsylvania.

#### SOAPSTONE.

Steatite (soapstone) of fine quality for resisting the most intense heat, is found in Amelia, Albemarle, and some other counties of Middle and Piedmont Virginia. In Amelia a mine of steatite was successfully operated a few miles from the county seat. One formation of it is very much like serpentine, and resists heat successfully. It is frequently called potstone, and was said to have been cut by the Indians into pots. Two veins are found in Campbell County, both crossing the James River from Amherst about ten miles apart. The western one is a beautiful green, cuts easily, and hardens by exposure, and makes handsome building stone. The eastern vein is very light grey, polishes well, resists heat, and is much used for fire-places. Albemarle has large veins of steatite, which are being worked and marketed successfully at North Garden. The veins of steatite run across the state from northeast to southwest. They appear to follow a kind of glade formation, a few miles in width, though other veins are sometimes found outside this line.

BLACK LEAD.

Plumbago (black lead) is found in Amelia, Patrick, Amherst, Campbell, Loudoun, Louisa, Albemarle and other counties. Some deposits are very pure and large in quantity. It appears irregularly in different parts of the state. In some localities it has been tested by analysis, in others manufactured into pencils, and in others as a lubricant.

MICA.

The mica of Amelia has been more largely worked than any in Virginia. It is very abundant, and mines have been profitably worked for some years past. In the vicinity of the county seat are the Rutherford, Jefferson and Pinchback mines. Others exist in the same locality, not yet in operation to much extent. It is also to some extent developed in Goochland, Henrico, Louisa, Pulaski, Powhatan and Hanover. Near Irwin station, in Goochland, the deposit is being worked, which is of the finest quality, and the largest sheets yet found. A recent report says that large quantities have been taken out and prepared for market. A similar deposit has been found and partially developed in Hanover. Both are very convenient to railroads.

GOLD.

There is a well-defined *belt* of gold-bearing quartz running across the state through the Counties of Prince William, Stafford, Spotsylvania, Louisa, Fluvanna, Goochland, Buckingham, Prince Edward, Charlotte and Halifax. In many places on this belt mines have been opened from time to time, and worked with profit and success. With the progress of scientific improvement in the extraction of gold, it may fairly be expected that gold mining in Virginia will become an extensive industry. This precious metal has also been found in Montgomery County. And in the Blue Ridge range of mountains, in Roanoke and Patrick Counties, silver ores have recently been found that give promise of valuable results.

Professor Stowe (from a letter written by him in 1873, just after his return from California and Colorado), regarding his estimate of the value of the Virginia mines, says: "I am now of the decided opinion that the ores of Virginia are the richest and easiest to work of any I have ever met. I have made over two hundred assays of ore from the Atlantic slope, and have visited in person many of the localities where gold is found, and I speak from facts." This is a strong opinion coming from an expert mining engineer.

Major Hotchkiss writes of this belt, including Buckingham: "Here is a mass of precious metal (enclosed in the rock) which cannot be exhausted for ages, and in this respect the region in question is the most important of all known deposits, California not excepted." The celebrated Overman (practical mineralogist) says: "We have here in Virginia a belt

of gold of unparalleled extent, immense width, undoubtedly reaching to the primitive rock." In the earlier days very large nuggets were found by breaking up the quartz rocks with sledge-hammers. One of these, in Spotsylvania, sold for \$438. It was not unusual for farmers, after they laid by their crops, to direct the overseer to take "the hands" and mine or wash for gold; and there were times when thousands of dollars were made *per annum* this way. Stafford, Spotsylvania, Orange, Fluvanna, Goochland and Buckingham were regarded gold fields. In several, work is now going on.

#### PYRITES.

Immense mines of pyrites are worked in Louisa County, and the products shipped North, for the use of sulphuric acid manufactories. So important has this industry become, that branch railroads have been run to the mines from the main line of the Chesapeake and Ohio railroad. Other large deposits exist in the mountain regions bordering on North Carolina, but need a railroad for their development. New veins of this, the "fool's gold" of the Colonies, are being discovered, and developed, and opened in different parts of the State. Some are valuable for the gold and other metals found in these sulphurets, and this by-product taken in connection with the large quantity of sulphur found in all, and the increasing demand for sulphuric acid, is likely to turn this into a true gold so far as sure profit is concerned. Two fully developed and profitably worked mines are near Tolersville (Mineral City), in Louisa County. One, the Armenius mine, has been sunk over four hundred feet, and the Crenshaw, the other mine, though not so deep, is fully worked. The by-product secured is native copper ore. Sulphuric acid is made in the City of Richmond, in two chemical works, for use in the manufacture of fertilizers. Large quantities are shipped North from the Armenius mines. Valuable veins of pyrite, bearing gold in fairly paying quantities, and probably other metals, have been found at other points in Louisa County, and in Spotsylvania, Fluvanna, Goochland, Buckingham and some other counties.

#### BARYTES.

The barytes of commerce (sulphate of barium) is found in many counties. It has been mined in Campbell and Bedford, and is ground in Lynchburg and shipped North. It is also found in the Southwest, abundantly in Smyth County.

#### LIMESTONE.

Metamorphic limestones exist in the valley of James River, between Richmond and Lynchburg. Silurian limestone extends from the Potomac to Tennessee, in great variety. Since the discovery that building lime with a large percentage of the carbonate of magnesia, is a poor material to



use in the mortar of large buildings and other permanent works of masonry and brick, peculiar value attaches to beds of pure carbonate of lime. Such beds fortunately exist at convenient localities in the great Shenandoah Valley, and lime-burning is already carried on there at two points—Riverton, in Warren County, and Eagle Rock, in Botetourt—where an article is produced entirely free from magnesia, and is in great demand for city work, where the sulphurous fumes of coal combustion are so destructive to magnesian-lime mortar. As this pure limestone exists in many places, the industry is a rapidly-growing and a profitable one.

Most excellent hydraulic cement has been produced for many years and in large quantity, at Balcony Falls, in Rockbridge County. The stone is also found in Bedford, near Buford's Gap, but has not been utilized until recently.

All the various limestones, from the most common building-rock to the finest marble, are found in Virginia. Her dolomite limestone has been found so superior for fluxing certain iron ores, that it has been carried considerable distances by rail, in preference to using common limestone on the ground. Virginia may be said to be an agricultural lime State.

The whole Valley has the best limestone for burning. The whole of Tidewater has shell (carbonate) marl. A good vein of limestone runs across Upper, Middle and Lower Piedmont. Several of the carbonate marls, mixed with clay, will, by being calcined, make cement like the Portland that is made in England. The travertine marl of the Valley, and the highly aluminous clays of that section, should make such cements very cheaply.

#### PLASTER (GYPSUM.)

On the waters of the north fork of Holston River, in the Counties of Smyth and Washington, there are many miles in length of an immense ledge of gypsum, as pure as that brought from Nova Scotia. It has been penetrated to the depth of nearly 600 feet, and no bottom found. We have here a quantity of this valuable fertilizer, that is practically exhaustless for centuries to come.

This massive deposit of gypsum, more than 600 feet thick, at Stuart and Buchanan's Cove, in Smyth County, shows conspicuously; also, at the Pearson Beds, and at Saltville, in Smyth County, and at Buena Vista, in Washington County. Many explorations and long continued examinations led to the belief, at last, that these vast gypsum deposits, showing for about 20 miles in length, really compose two or more regular strata of the sub-carboniferous rocks, and have a width, exposed and concealed, of one mile or more from the fault northward. It has been mined to the depth of about 180 feet at Saltville and Buena Vista, and its general composition by analysis is as follows: Lime, 32.50; sulphuric acid, 46.50, and water, 20.50, showing traces of magnesia, alumina, and iron.

Plaster for clover, grass, and tobacco is universally used by the farmers of the Valley, Piedmont, and Upper Middle Virginia, sowed

directly on the land—preferring ground plaster to calcined. Grinding plaster gives a number of mills to the State. Even the Nova Scotia that comes to the Eastern section is ground in the State. Smyth and Washington Counties could furnish plaster for the country if they had deep-water transportation.

#### MARL.

In many of the Tidewater counties enormous beds of blue and green sand marl and shells are found but a few feet below the surface, supplying a fertilizing material at a nominal cost, that is rapidly converting all that region into the garden spot of the continent for supplying the great cities of the Atlantic coast with table vegetables of the highest excellence, and is giving much importance to the peanut culture. A full description of the geological formation of this alluvial region would not be interesting to the unscientific reader, but it may be well to call attention to the difference between the marls of the more recent formations, the *pliocene* and *miocene*, which derive their value mainly from the carbonate of lime which they contain, and the green sands and olive earths which are found in the *eocene* in conjunction with the shell or calcareous marl. (Green sand is sometimes found mixed with the marl of the *miocene* region.)

The region of *eocene* marls extends from the falls of the rivers eastward fifteen to twenty miles. Miocene marl is often found overlying the *eocene*, and is easily recognized by the difference in the shells which it contains—scallops and others not found in the *eocene*. “Beneath this (Professor Rogers, quoted by Dr. Pollard, says), and usually separated from it by a thin line of ‘black pebbles,’ like those occurring on the Pamunkey, there occurs a stratum of greenish, red, and yellow aspect, containing much green sand and gypsum, the latter partly disseminated in small grains, and partly grouped in large crystals. The under stratum, rich in green sand and containing a few shells in friable condition, extends to some depth below the level of the river. At ‘Evergreen’ the whole thickness of the deposit appears to be about twenty feet.”

This was said of the James River formation, but will apply as a general description to the deposits of the Pamunkey, Mattaponi, Rappahannock, and Potomac, as Professor Rogers says “*eocene* marl is there found very similar to that on the James. On the Mattaponi the occurrence of green sand strata has been ascertained in some places, while in others the beds containing the substance have been replaced by beds of clay, which are less likely to prove valuable agriculturally. The olive earth overlying some of these beds, particularly on the Pamunkey, seems to have lost some of the carbonate of lime which it once contained, and has but a small portion of gypsum.”

The agricultural report for 1888, speaking of Tidewater Virginia, says: Not only has this section been blessed with lime beds, brought up

by all its streams from the ocean, placing this valuable deposit of miocene marl at its doors, but the Rappahannock, the North and South Annas, the James and Appomattox, rising in the felspar and hornblende ridges and valleys of Piedmont, and the black rock of Buckingham and Appomattox crossing through the pyrites and sulphur ledge, have brought down the potash and mingled it with these sulphates, carrying them to meet the tide, bringing the shells and fossil bones from the ocean. These, and the dead marine animals and their coprolites, formed the eocene marl beds, where the sulphates and shells made sulphate of lime (plaster—the great Ruffin's "gypseous earth"), and the potash and fossils gave the green sand its agricultural value.

The lands on the Pamunkey and James that were heavily marled with the Pamunkey and James River green sand, are fertile and productive today, although for more than twenty-five years they have had neither manure or fertilizer. These marls have been tested by chemical analysis and agricultural experience, and the value of Virginia shell marl as an agricultural lime, and the green sand marl as an active fertilizer, is put beyond the possibility of a doubt.

There is considerable interest manifested now in the marl deposit of the State. The value of green sand as a basis for high-grade commercial fertilizers, and of the carbonate marls and adjacent clays for cements, has caused extensive investigation. There are works on James River and the Pamunkey, preparing green sand marl for sale, now in operation with good profit.

#### BUILDING STONE AND SLATE.

Virginia stands first among the States in the variety and beauty of her building stones, beginning with her granites and slates in Eastern Virginia, and extending to her limestones in the West, her brownstones in the Eastern counties, her marbles in Bedford, Russell, and Scott Counties, and ending with the beautiful sandstones of the Southwestern coal field, in half-dozen counties.

Virginia can make an exhibit in this line of which any country might be proud. At Petersburg are beautiful light and dark granites, in inexhaustible quarries. At Richmond and Manchester, on opposite sides of James River, at the head of tide, are the great quarries that stood the test of stone made by the Government for the Naval Department at Washington. At Fredericksburg is fine granite, and near there the beautiful white sandstone of which the "White House" was built. The brown sandstone of Prince William, Botetourt, Nelson, Craig, and Albemarle will compare favorably with the best anywhere.

Roofing slate of excellent quality is found on both sides of James River. That found in Buckingham, near New Canton, on Slate River, yields slate that compares favorably with the best qualities of imported material, both in density, texture, and capacity for resisting atmospheric changes. The

Capitol and University buildings have been covered with this slate, and the quarries have been extensively worked. The rock splits with great regularity and may be separated with iron wedges into sheets of 100 square feet, not more than one inch thick.

In Nelson County, on Rockfish and near the mouth of Tye River, a true marble is found, of beautiful quality, whiteness, and texture, which renders it susceptible of taking the highest polish. This marble is easily worked with the chisel. In Campbell, a few miles from Lynchburg, a good marble is found. Limestone is also abundant. Amherst and Albemarle have slate quarries, which have been worked, furnishing good roofing and admirable furniture slate. Loudoun has the finest white marble, and Botetourt the finest black marble, yet discovered in the State. Lithographic stone has been found and tested in the James River valley, in the Counties of Botetourt, Rockbridge, and Alleghany, and a species of steatite of beautiful green stone suitable for building has been found in several counties. Virginia abounds in most valuable building stones.

#### KAOLIN.

Kaolin has been discovered in Amelia, Fauquier, Fluvanna, Powhatan, Louisa, Chesterfield, Amherst, Nelson, and other counties. It has been developed and analyzed in several of the counties, but it is not worked to any extent or mined. By both analyses and working tests Virginia kaolin has been found to be of high quality.

#### FIRE-CLAYS.

Fire-clay has been found developed and is being worked in Chesterfield, at Robious; at Dorset, in Powhatan; at Buena Vista, in Rockbridge, and very fine bricks were on exhibition at the Virginia State fair recently. Vitrified brick is made at Chilhowie, in Smyth County, and clay has been found and developed in Louisa County. There are fine tile and brick works at Chester; terra-cotta and porcelain works at Strasburg, in the Valley, and Virginia has in large quantity the finest clays of every variety. Clays and marl are found in close proximity, and in some places intermixed, which, calcined, make a fine cement, like the Portland and Roman.

#### MINERAL SPRINGS.

There are numerous mineral springs in Virginia, varying in many particulars, and they are all valuable. Many of these springs are popular resorts for pleasure seekers from all parts of the country. Professor Rogers says in his geological report: "The thermal waters appear to be indebted for their impregnation to rocks of a calcareous nature, while the sulphuretted springs derive their ingredients mostly from the pyritous

slate, and that the Warm and Hot Springs discharge a considerable amount of free gas, consisting of carbonic acid and nitrogen."

Grouped, as these springs are, at a moderate distance apart, presenting, within the same district, a variety of medicinal character, for which, in other countries, regions remote from each other require to be visited in succession, placed at a point equally accessible to the inhabitant of the sea-board and the great valley of the West, and situated in a region of grateful summer temperature, of a salubrious climate, and of picturesque and diversified natural beauties, they are now rapidly attaining a celebrity and are destined ere long to vie with the long established "character of the most noted watering places of the world."

#### CLIMATE.

Virginia, as a whole, lies in the region of "middle latitudes," between  $36^{\circ} 30'$  and  $39^{\circ} 30'$  North, giving it a climate of "means" between the extremes of heat and cold incident to States south and north of it.

If Virginia were a plain, the general character of the climate of the whole State would be much the same; but the "relief" of its surface varies, from that of some of its large peninsulas not more than ten or fifteen feet above the sea level, to that of large valleys more than two thousand feet above that level. Long ranges of mountains from three thousand to four thousand feet in height run entirely across the State, and the waters flow to all points of the compass. So diversified are the features of the surface of the State, within its borders may be found all possible exposures to the sun and general atmospheric movements. It follows from these circumstances that here must be found great variety of temperature, winds, moisture, rain and snowfall, beginning and ending of seasons, and all the periodical phenomena of vegetable and animal life, depending on "the weather."

The winds are the great agents nature employs to equalize and distribute temperature, moisture, etc. Virginia lies on the eastern side of the American continent and on the western shore of the Atlantic Ocean. It extends to and embraces many of the ranges of the Appalachian system of mountains, that run parallel to that ocean shore; therefore, it is subject not only to the general movement of winds, storms, etc., from west to east, peculiar to the region of the United States, but to modifications of that movement by the great mountain ranges. It is also subject to the great atmospheric movements from the Atlantic that, with a rotary motion, come up from the Tropics and move along the coast, extending their influence over the Tidewater and Middle regions of the State; sometimes across Piedmont to the foot of the Blue Ridge, but rarely ever over or beyond that range. The numberless lines of mountains from the Blue Ridge to the Cumberland, all the way across its extent from up in Pennsylvania down into North Carolina unbroken, protect the State against the cold winds, and storms, and blizzards of the Northwest. This barrier is

absolutely effectual; they never reach this land. The peculiar formation of the Appalachian chain running southwest into South Carolina and Georgia, with ranges bearing west into Tennessee and Alabama, protect us from the cyclones that form in the heated waters of the Gulf and rush northeast. The formation of the southern end of this range of mountains turns the southwest storms and tornadoes either up the Cumberland range northeast or across the Gulf States to the Atlantic Ocean. It has also surface winds, usually from the Southwest, that follow the trend of the mountains and bring to them and their enclosed parallel valleys the warmth and moisture of the Gulf that clothes them all with an abundant vegetation.

The same causes that produced the magnificent forests of the carboniferous era and furnished the materials for the vast deposits of coal in the sixty thousand square miles of the great Appalachian coal field that flanks Virginia on the west, still operate and clothe the surface of the same region with an abundant vegetation. The laws of the winds make one region fertile and another barren. America owes its distinction as the Forest Continent to the situation of its land masses in reference to the prevailing winds.

Guyot, a standard authority, says: "North America has in the eastern half a greater amount of rain than either of the other Northern continents in similar latitudes." . . . "The great sub-tropical basin of the Gulf of Mexico sends up into the air its wealth of vapors to replace those lost by the winds in crossing the high mountain chains. Hence, the eastern portions—the great basins of the Mississippi, and the St. Lawrence, and the Appalachian region—which, without this source of moisture, would be doomed to drought and barrenness, are the most abundantly watered and the most productive portions of the continent." "In the eastern half of the United States the southwesterly winds which prevail in the summer spread over the interior and the Atlantic plains an abundant supply of vapors from the warm waters of the Gulf. Frequent, copious showers refresh the soil during the months of greatest heat, which show a maximum of rain. Thus the dry summers of the warm-temperate region disappear, and with them the periodical character of the rains so well marked elsewhere in this belt."

These quotations show the advantages Virginia has, in this respect, over the warm-temperate regions of Europe and elsewhere.

#### FORESTS.

The forests of Virginia are large, and the timber varied, and the lumber trade important, and the following is a fair catalogue of the trees of Virginia now growing wild in the different sections:

The oaks: White oak, post oak, swamp white oak, chestnut oak, yellow oak, red oak, scarlet oak, black oak, black-jack oak, Spanish oak, pin oak, willow oak, bear oak, bastard live oak, scrub white oak, water oak, turkey oak.

The pines: The table mountain pine, white pine, pitch pine, Jersey scrub pine, yellow pine, loblolly pine, hemlock pine.

Cypress, juniper, bay laurel, red cedar, white cedar (*arbor vitæ*), umbrella tree, white wood (white poplar), yellow poplar, Lombardy poplar, pawpaw (custard apple), linden, fringe tree, catalpa, sassafras, slippery elm, red elm, water elm, winged elm, sugar berry, horn beam, red mulberry, white mulberry, *moris multicualis*, sycamore, black walnut, white walnut (butternut), shellbark hickory, white hickory, red (*mochermes*) hickory, pignut hickory, butternut hickory, chinquepin, chestnut, beech, water beech, ironwood, cherry birch, red birch, black alder, holly, sugar maple, red maple, curled maple, bird-eye maple, box elder or ash-leaved maple, stag horn (sumac), poison elder (thunder tree), common locust, yellow (mountain) locust, honey locust, red bud (Judas tree), wild plum (*Prunus Americanus*), wild cherry—red (*P. Penna*), wild cherry—black (*P. Scro-tina*), nine bark (*Spirea Opulofolia*), southern crab, scarlet fruited thorn, wild currant (June or Service berry), witch hazel, sweet gum, swamp dogwood, ailanthus (Paradise), black gum, black haw, laurel (ivy), rose bay (rhododendron), persimmon, white ash, black willow, weeping willow, white willow, golden willow, silky willow, aspen, dogwood, lash-horn, cucumber, cottonwood, buckeye ash, swamp huckleberry, hazelnut, paulonia, silver maple, spicewood, yew, paper mulberry.

#### FLOWERS.

The flowers which cover the untilled fields, and bloom and blush unseen in forest dells, form no small part of the beauty which makes this land of blue mountains and silvery streams "the fairest land the sun shines on."

In springtime every stream is fringed with blooming flowers and white banners wave on every breeze. Wild roses, ferns, rhododendrons, forest pinks, and wood violets spring up everywhere, while daisies and yellow buttercups line every pathway. Of cultivated flowers, everything grows in the open air that can be raised in a temperate climate.

#### FRUITS.

Every portion of the State is remarkably well adapted to the growth of fruits that belong to the warm-temperate and temperate climates.

In Tidewater Virginia, apples, pears, peaches, quinces, plums, cherries, nectarines, grapes, figs, strawberries, raspberries, running and bush blackberries, gooseberries, currants and other fruits thrive and produce abundantly, the quality of the products being unsurpassed, as the awards of the American Pomological Society attest. The value of the small fruits alone, annually sent to market from Tidewater, is more than the sums for orchards and gardens. The trade in early strawberries is one of large proportions. Especial mention should be made of the wild Scuppernong

grapes, peculiar to the Tidewater country near the sea, which spread over the forests, and bear large crops of excellent fruit, from which a very palatable wine is made. The originals of the Catawba, Norton's Virginia, and other esteemed American grapes grow wild in the forests of Virginia.

All the fruits named above grow in every section of the State, except, perhaps, figs. Piedmont, the Blue Ridge, and the Valley are famous apple regions. Peaches flourish in all sections, but Middle and Tidewater may claim some precedence in adaptability. The Blue Ridge is entitled to the name of the "fruit belt," and its extensive area is yet to become the most noted wine and fruit-producing section of the United States east of the Rocky Mountains. All the fruits of Virginia flourish there in a remarkable manner, and find special adaptations of soil, climate, and exposure.

#### CEREALS, COTTON, TOBACCO.

The flora of Virginia is rich and abundant. Cereals, grasses, and other plants that have been introduced have found favorable soil and climate. Here grow and yield abundantly "plants good for food" and suited for needed manufactures. A comparison of the production of cereals with the products of other countries presents Virginia in a most favorable light, while nearness to market gives a most decided advantage. The climate and soil of Virginia favor the growth of nearly all the useful and profitable productions of the world. Wheat, corn, rye, buckwheat and Indian corn are raised in abundance. It is the native home of tobacco, and from it planters, manufacturers and the general government realize large sums of money.

Cotton is grown in the southern section, and in all parts of the State cultivated grasses are successfully grown, and in some parts of the State the native grasses make the best grazing. Commodore Maury (good authority) says: "Everything which can be cultivated in France, Germany, or England, may be grown here equally as well, with other things besides, such as Indian corn, cotton, tobacco, peanuts, broom corn, and sweet potatoes, etc., which are not known as staples there. The climate and soil of Virginia are as favorable to the cultivation of the grape and the manufacture of wine, as they are in France and Germany.

Tobacco is a staple product of Virginia. "The Virginia Leaf" is known the world over for its excellence—the result of manipulation as well as soil and climate. Piedmont and Middle Virginia lands are best for the growth of good tobacco; those of Middle Virginia produce the finest tobacco and most valuable; Tidewater is the region of Cuba and Latakia varieties, while immense crops of coarse, heavy tobacco are raised in the upper Counties on the rich lands of the Blue Ridge, the Valley, and Appalachia. Virginia tobacco cannot be substituted either by new methods, new varieties, or adulteration; it will always, in a series of years, maintain



its position of superiority in foreign markets. Whenever all restrictions and burdens are removed from tobacco, Virginia's brights, her sweet-fillers, and her rich shipping will assert their natural superiority and receive again the chief place in the market.

#### FISHERIES.

The crab fisheries still continue a fruitful source of revenue to the people in a limited area of the Chesapeake. The earnings from this source, reckoned on the basis of men employed and capital invested, exceed slightly that derived from oysters, and the business seems to be growing larger and larger every year.

Black bass, silver, white, and sun perch, southern, white, and horned chub, mullet, carp, pike, suckers, flat-back gar, mason, and whitesides, and eels can be found of good size in the rivers. Tidewater, independent of the great herring, shad, and menhaden fisheries (where 100,000 are caught at a haul), has a fine list of table fish caught and shipped to market the same day—sturgeon, rock, sheepshead, hogfish, trout, mullet, spots, bass, chub, Spanish mackerel, bluefish, croker, halibut, and others.

The fish, like the fruit of Virginia, has the advantage of an earlier opening than the North has for marketing. Oysters are found in all the tributaries of the Chesapeake Bay and along the Atlantic coast, giving to Tidewater an exclusive territory, where this valuable shell-fish grows naturally, and where it can be propagated and reared in almost any desired quantity.

Major Hotchkiss, in his work on Virginia, says that it is estimated that more than 15,000,000 bushels are taken annually from the beds of Tidewater Virginia, valued at from \$12,000,000 to \$15,000,000. In 1869 over 5,000 small boats and 1,000 vessels, of over five tons burthen, were employed in taking oysters from the water, and 193 State and 309 other vessels, 18,876 tons aggregate burthen, were engaged in carrying them to market. For some years the supply has been growing less and the demand greater. Under the present system of depletion, the supply will soon be inadequate to the demand, and the prices will be higher. The person who has a well-stocked oyster shore can command ready sale, at good prices. There is no reason why the artificial propagation of oysters should not be conducted on a larger scale. In France there are oyster farms that pay an annual profit of \$500 or \$600 per acre. Virginia's Lynnhaven and Chesapeake stand at the head of the list for market, while others claim equal excellence. Just now there is much discussion about protecting the natural beds, and larger planting, if necessary, for increasing the revenue of the State.

Many interesting details of the fruits, vegetable productions, animals, poultry, birds, and much of importance con-

cerning the manufacturing and mining growth of the State could well be cited, but, enough has been revealed of her material resources in the above extracts to foreshadow her wealth and power, and to confirm the glowing description of an earlier day, given by Raleigh to England's Queen when she first called the land—"Virginia."

THE END.

# APPENDIX.

## NOTE A.

On a bust in the Capitol at Rome is this inscription :

“Christoforo Colombo,  
Nato MCCCCXLII.—Morto MDVI.”

Christopher Columbus was the eldest son of Domenico Colombo, a wool comber, and Susanna Fontanarossa Colombo, and was born in Genoa, Italy, 1442. He early evinced an inclination for the sea, and his education was mainly directed to fit him for maritime pursuits. Besides ordinary branches, he studied Latin and Drawing, and for a time devoted himself to Geometry, Geography, Astronomy and Navigation, at the University of Pavia. When about fourteen years old he began his nautical career, and spent many years at sea, but of his experiences at this period history is silent. About 1470 he went to Lisbon, and supported himself by making maps and charts. Here he married Doña Felipa, daughter of Bartolommeo Moñis de Perestrello, an Italian Cavalier and distinguished Navigator, who had colonized and governed the Island of Porto Santo. On this island Columbus now resided, where his wife had inherited some property, and here his son Diego was born. At this time Columbus devoted his life to study, and the papers, charts and journals which had been left by his father-in-law, were his daily companions. He also was brought into constant contact with persons interested in maritime discovery, and upon the Island of Porto Santo, he determined upon sailing West, hoping to reach India by a new passage. We will pass over his long period of discipline in waiting, until we see him under the auspices of Spain setting sail from the roads of Saltez, near Palos, on Friday morning, August 3, 1492, in the *Santa Maria*, carrying with him also the *Pinta* and the *Nina*. On Friday, October 12, 1492, the New World was discovered.

Columbus made three voyages to the New World, and on the last went to Hispaniola to recruit his enfeebled health. His great distinction had excited the jealousy of many enemies, and his pathway ever since “The Discovery” had been strewn with thorns. Now, at Hispaniola, in his efforts to re-organize the unsettled Colony which he had previously planted, he was actively misrepresented by envy and malice.

A commissioner sent by Spain to inquire into the difficulties, put

Columbus in chains and sent him to his sovereign a manacled, insulted invalid. "Are you taking me to *death*?" inquired Columbus, when they led him from his cell to put him on the ship which was to carry him to Spain; saying further:

"If twelve years' hardship and fatigue; if continued dangers and frequent famine; if the ocean first opened, and five times passed and repassed to add a New World abounding with wealth to the Spanish monarchy; and if an infirm and premature old age brought on by those services, deserve *these chains* as a reward, it is very fit I should wear them to Spain and keep them by me as memorials to the end of my life."

"I always saw those irons in his room," says his son Ferdinand, "which he ordered to be buried with his body."

Columbus is described as of good figure, of tall, commanding stature; of a long visage and majestic aspect. He was greatly skilled in Navigation, was a man of undaunted courage and fond of hazardous undertakings. A distinguished Spanish historian says that "if in ancient times he had performed such an enterprise as the discovery of a New World, not only would temples and statues have been erected in his honor, but some star would have been dedicated to him as there was to Hercules."

Exhausted by age, fatigues and disappointments, Columbus died at Valladolid in the sixty-fifth year of his age, on Ascension Day, May 20th, 1506, saying with his last breath, "Lord, into Thy hands I commend my spirit." His corpse was removed to Seville and buried in the Cathedral of that city with great funeral pomp, and by order of King Ferdinand, "whose jealousy his death had extinguished," he was honored with a marble monument upon which was engraven the following:

"A Castilla Y A Leon  
Nuevo Mondo Dio Colon."

"To Castille and to Leon Columbus gave a New World."

But, death did not end the voyages of the great Navigator. It is said that he had requested to have his remains taken to Santo Domingo, and accordingly in 1536, they were deposited in the Cathedral of that island; thence they were conveyed with great ceremony in 1796 to the Cathedral of Havana, where they now repose.

## NOTE B.

In the early part of the 15th century of our Lord, Venice was at the climax of her power. For long years she had been the centre of trade between Asia and Europe, and by conquest, by voluntary submission and by cession, the fairest portions of the Eastern Empire were under her sway. Most of the carrying trade of the world was in her hands.

So with pride, no doubt, Cabot now unfurled the flag of this Republic,

looking back to the wealth, population and greatness of his adopted home; and remembering in this forest-clad realm of Nature the magnificent palaces and noble works of Art which enriched the superb City of Venice, with prophetic arm he raised the *Republican* banner of St. Mark beside the royal standard of St. George.

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## NOTE C.

No book bearing "Virginia" upon its title-page should fail in tribute to two of her noble sons, whose names, though glittering on the roll of honor, do not find place among her Chief Executives—Robert E. Lee and "Stonewall Jackson"—those bright, resplendent forms, who, standing by their Mother State, her garments crimson with the blood of battle, have linked their fame imperishably with her history.

ROBERT EDWARD LEE,

BORN

At "Stratford," Westmoreland County, Virginia,

January 19, 1807,

DIED

At Lexington, Rockbridge County, Virginia,

October 12, 1870.

---

THOMAS JONATHAN JACKSON,

BORN

At Clarksburg, Harrison County, Virginia,

January 21, 1824,

DIED

Of wounds received at Chancellorsville, Virginia,

May 10, 1863.

Eloquence, rhetoric, poetry, sculpture, painting, tears—every avenue through which the mind and heart can give expression, has been exhausted in paying honor to these renowned men. Great in war were both—great in a soldier's death the one, and great in conquering fate, the other. Enshrined forever are they in the faithful hearts of the devoted people each loved and served "unto life's end."

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## NOTE D.

During Governor Walker's term the following Act was also passed, viz.: "An Act to provide for the Publication of the New Edition of the Code of Virginia. In force, March 25, 1873."

This new edition of the Code of Virginia in 1873 was rendered necessary by causes which may be briefly enumerated here in the language of another. They refer to the situation in Virginia after the year 1860:

"The entire change in the organic law since that period; the revolution through which the Commonwealth has passed; the dissolution of the connection with the government of the United States by the ordinance of the secession convention; her independent existence prior to her union with the government of the Confederate States; her subsequent union with that government, and the adoption of its Constitution; the continuation of the State Government at Richmond during the whole war; the successful establishment of the restored government for the State, at Wheeling; the action of its legislative and executive authorities there; the Ordinances and Acts of the convention at Wheeling; the organization of the State of West Virginia within the established boundaries of this State; the assent of the restored government to the formation of the new State, and its final reception into the Union by the Congress of the United States, recognizing the dismemberment of the State, and authorizing the representation of the new State in the Senate and House of Representatives; the removal of the restored government from Wheeling to Alexandria; the Acts of the Legislature there; the assembling of a convention, which adopted a new Constitution for the government of the State under these auspices; the resumption of the powers and functions of the restored government at the close of hostilities in the City of Richmond, sustained and supported by the Federal troops; the subsequent destruction of that government under the Reconstruction Acts of Congress, subjecting the State to military rule and authority as Military District No. 1; the permission given by Congress to the State to form again a new Constitution, and the authority granted to elect members to a convention for that purpose; the action of that convention by its ordinances and resolutions; the submission of that Constitution for approval to Congress; the proclamation of the President of the United States extending to the people the right to ratify or reject the Constitution itself, or specified clauses in that Constitution; the ratification of the Constitution by the people, and the rejection of the two clauses submitted to them; the approval of the Constitution afterwards by Congress, upon condition of the adoption of the fourteenth and fifteenth amendments to the Federal Constitution, and of certain other provisions; the final reception of Senators and Representatives from this State in Congress, and the action of the General Assembly since, to adapt the laws of the State to the new Constitution, fundamentally changing the political and civil structure of the government."

As special interest will always attach to the "Reconstruction Period," reference is herewith made to Code of Virginia, 1873, Vol. 1., where an historical synopsis of much valuable information connected with that era may be found.

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